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(1) Note.

BRITISH AND FOREIGN STATE PAPERS

ACT OF PARLIAMENT to amend the British Nationality Act, 1948[1], by making provision in relation to the Federation of Rhodesia and Nyasaland and to Ghana, by extending the provisions for registering persons as citizens of the United Kingdom and Colonies, by extending and providing for the discharge of the functions in Commonwealth countries of High Commissioners for Her Majesty's Government in the United Kingdom, and for purposes connected therewith

[6 & 7 Eliz. 2. Ch. 10] [20th February, 1958]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Subject to the following provisions of this section—

(*a*) the Federation of Rhodesia and Nyasaland shall be substituted for Southern Rhodesia in subsection (3) of section one of the principal Act (which lists Commonwealth countries with separate citizenship from that of the United Kingdom and Colonies);

(*b*) the protectorates of Northern Rhodesia and Nyasaland shall be excepted from the operation of any reference in the principal Act to a protectorate.

(2) Paragraph (*a*) of subsection (1) of this section shall not extend the meaning of the term "colony" in the principal Act to include Southern Rhodesia.

(3) Paragraph (*b*) of subsection (1) of this section shall not affect the meaning of the term "British protected person" or "Crown service under Her Majesty's government in the United Kingdom" in the principal Act, or affect the operation of sub-

(1) Vol. 150, page 480.

section (1) of section thirty of the principal Act (which enables Orders in Council to be made as respects protectorates and protected states and on which the meaning of the term " protectorate " partly depends) ; nor shall that paragraph be taken as applying to references to a protectorate in any enactment or document in which the meaning of the term depends on its meaning in the principal Act.

(4) Nothing in this section shall affect any provision of the principal Act in so far as it operates with reference to a state of affairs existing before the coming into operation of this section.

(5) This section shall come into operation on such date as the Secretary of State may appoint by order made by statutory instrument at the request of the government of the Federation of Rhodesia and Nyasaland.

2.—(1) Subject to the provisions of this section, any person who is a citizen of the United Kingdom and Colonies immediately before the date on which this section comes into operation shall on that date cease to be a citizen of the United Kingdom and Colonies if—

(*a*) he is then a citizen of Ghana ; and

(*b*) he, his father or his father's father was born in Ghana.

(2) Subject to subsection (7) of this section, a person shall not cease to be a citizen of the United Kingdom and Colonies under this section if he, his father or his father's father—

(*a*) was born in the United Kingdom or in a colony ; or

(*b*) is or was a person naturalised in the United Kingdom and Colonies ; or

(*c*) was registered as a citizen of the United Kingdom and Colonies ; or

(*d*) became a British subject by reason of the annexation of any territory included in a colony.

(3) A person shall not cease to be a citizen of the United Kingdom and Colonies under this section if he was born in a protectorate, protected state or United Kingdom trust territory, or if his father or his father's father was so born and is or at any time was a British subject.

(4) A woman who is the wife of a citizen of the United Kingdom and Colonies shall not cease to be a citizen of the United Kingdom and Colonies under this section unless her husband does so.

(5) Subsection (2) of section six of the principal Act (which provides for the registration as a citizen of the United Kingdom and Colonies of a woman who has been married to such a citizen) shall not apply to a woman by virtue of her marriage to a person who ceases to be a citizen of the United Kingdom and Colonies under this section, or who would have done so if living on the date on which this section comes into operation.

(6) Subject to subsection (7) of this section, the reference in paragraph (*b*) of subsection (2) of it to a person naturalised in the United Kingdom and Colonies shall include a person who would, if living immediately before the commencement of the principal Act, have become a person naturalised in the United Kingdom and Colonies by virtue of subsection (6) of section thirty-two of that Act (which relates to persons given local naturalisation before that commencement in a colony or protectorate).

(7) Any reference in this section to any country, or to countries or territories of any description, shall (subject to subsection (8) of this section) be construed as referring to that country or description as it exists at the date of the coming into operation of this section ; and subsection (2) shall not apply to a person by virtue of any certificate of naturalisation granted or registration effected by the governor or government of a country or territory outside the United Kingdom which is not at that date a colony, protectorate, protected state or United Kingdom trust territory.

(8) The protectorates of Northern Rhodesia and Nyasaland shall be excepted from the operation of any reference in this section to a protectorate.

3.—(1) Subsection (6) of section twelve of the principal Act (which made temporary provision for the registration as citizens of the United Kingdom and Colonies of certain persons who would have been citizens thereof but for their citizenship or potential citizenship of a country mentioned in subsection (3) of section one of that Act) shall be amended as follows :—

(*a*) the words "before the first day of January, nineteen hundred and fifty" (which limited the time within which applications for registration must be made) shall be omitted, but except as provided by paragraph (*c*) below no person shall be registered under the subsection on an application made after the end of the year nineteen hundred and sixty-two;

(*b*) an applicant (and any of his minor children) may be registered under the subsection if, as an alternative to satisfying the Secretary of State of the facts specified in paragraph (*a*) of the subsection as to his descent, he satisfies the Secretary of State either—

(i) that he was born, or is descended in the male line from a person born, within the territory comprised at the coming into operation of this section in the Republic of Ireland; or

(ii) that he became, or is descended in the male line from a person who became, a British subject by virtue of a certificate of naturalisation granted under section eight of the British Nationality and Status of Aliens Act, 1914(2), by the government of a country mentioned in subsection (3) of section one of the principal Act, as originally enacted; or

(iii) that having been at the date of the commencement of the principal Act a citizen of such a country, or having (whether before or after the coming into operation of this section) been made one by the coming into operation of any law of such a country, he has lost that citizenship otherwise than by his own act done for the purpose, and has thereby ceased to be a British subject;

(*c*) an applicant (and any of his minor children) may, if he satisfies the Secretary of State of the facts mentioned in sub-paragraph (iii) of paragraph (*b*) above, be registered under the subsection on an application made at any time and without showing (as required by paragraph (*b*) of that subsection) that he intends to make his ordinary place of residence within the United Kingdom and Colonies, and as regards registration by virtue of the said sub-paragraph (iii) references to the Secretary of State (including those in this subsection) shall include

(2) Vol. 108, page 8.

references to the governor of a colony, of a protectorate (except Northern Rhodesia or Nyasaland) or of a United Kingdom trust territory.

(2) A person may be registered as a citizen of the United Kingdom and Colonies under subsection (1) of section six of the principal Act (which makes permanent provision for so registering a British subject or citizen of the Republic of Ireland ordinarily resident in the United Kingdom or in Crown service under Her Majesty's government in the United Kingdom), if—

(*a*) he is serving either—

(i) under an international organisation of which Her Majesty's government in the United Kingdom is a member; or

(ii) in the employment of a society, company or body of persons established in the United Kingdom; and

(*b*) he would be entitled to be so registered if the period during which he has been in that service had been a period of ordinary residence in the United Kingdom; and

(*c*) it seems to the Secretary of State fitting that he should be so registered by reason of his close connection with the United Kingdom and Colonies.

In relation to registration in a colony, protectorate or United Kindom trust territory under subsection (1) of the said section six as applied by subsection (1) of section eight of the principal Act, this subsection shall have effect with the substitution of references to that colony, protectorate or territory for the references to the United Kingdom in sub-paragraph (ii) of paragraph (*a*) and in paragraph (*b*), and of a reference to the governor for the reference to the Secretary of State.

(3) This section shall come into operation at the end of two months beginning with the date of the passing of this Act.

4.—(1) The power of the Secretary of State to make regulations under paragraph (*f*) of subsection (1) of section twenty-nine of the principal Act (which enables provision to be made for consular or other officers to register births and deaths in a protected state or foreign country) shall include power to make

provision for the births and deaths of persons of any class or description born or dying in a country mentioned in subsection (3) of section one of the principal Act to be registered there by the High Commissioner for Her Majesty's government in the United Kingdom or by members of his official staff.

(2) The power of Her Majesty under subsection (2) of the said section twenty-nine to provide for the application of certain enactments to births and deaths registered by a High Commissioner or members of his official staff in accordance with regulations made by virtue of subsection (1) of this section shall extend also to births and deaths registered by a High Commissioner or members of his official staff in accordance with instructions of the Secretary of State.

(3) In the principal Act and in this section, "High Commissioner" shall include acting High Commissioner.

5.—(1) This Act may be cited as the British Nationality Act, 1958, and this Act and the principal Act may be cited together as the British Nationality Acts, 1948 and 1958.

(2) In this Act "the principal Act" means the British Nationality Act, 1948, and Part III of that Act (which contains supplemental provisions) shall have effect as if any reference in it to that Act, except one referring to the date of the commencement of that Act, included a reference to this Act.

(3) For the purposes of the principal Act references to an international organisation of which Her Majesty's government in the United Kingdom is a member (including the reference in sub-section (2) of section three of this Act) shall have effect, and be deemed always to have had effect, as references to international organisations of which the United Kingdom or Her Majesty's government therein is a member, and any reference to an international organisation of which the government of any part of Her Majesty's dominions is a member shall be similarly construed.

STATEMENT by the Lord Privy Seal in the House of Commons on South-East Asia.—Westminster, 2nd July, 1963(1)

[Extract]

The Lord Privy Seal (Mr. Edward Heath):

. . . I would now like to turn to the policy that we have pursued in South-East Asia. The House will probably agree that there the great majority of the population ask for nothing more than peace and an improvement in their standard of living. But the Chinese aim there appears to be to undermine and subvert the existing régimes, at the same time stopping short of declaring war. It may be that the House will think that the attack on India last autumn was an exception to these tactics, but there is a place in Chinese principles for the controlled use of overt military force. On this occasion, it may well prove to have been an error of judgment, for it did not achieve the object of forcing India to settle the frontier dispute, and it called forth a response from Britain and the United States which was prompt and which was warmly welcomed.

We have just been reviewing with the United States the question of how to make our assistance for the defence of the sub-continent effective for the long haul which lies ahead. Although this incident may have increased the anxiety of some countries in South-East Asia, the Western response to it has undoubtedly had a tonic effect.

As I have said, there has never been any Chinese military move again South-East Asia but the Burmese, the Cambodians, the Thais and all the others must constantly ask themselves whether this will come about.
. . . This produces an atmosphere in which many may be persuaded that their future lies in throwing in their lot with the Chinese.

We must ask ourselves what are the real British interests in the area, the defence of which would justify the risks and burdens of trying to arrest this trend. It would be a serious blow to the whole free world if South-East Asia were to be

(1) H.C. Deb. Vol. 680, coll. 222–225.

allowed to slip into the Communist camp. The threat to members of the Commonwealth would be brought much closer. India would find herself more closely encompassed by China. The Communist threat would be on the doorstep of Australia and New Zealand, and Malaya would be closely menaced.

Our policy in South-East Asia is, therefore, clear. We must help the countries in the area to keep their independence. The main problem to-day is the attempt by the North Viet-Namese Communists to take over as much as possible of former French Indo-China. For years now we have been trying to cope with a direct attempt to seize South Viet-Nam by the creation and support of an insurgent military movement.

There have been attempts by the Communist Party in Laos to seize power also by military means. The sharpest fighting is in Viet-Nam. The majority of the International Control Commission in Viet-Nam has reported that the Government of South Viet-Nam has had to face such a campaign of subversion and military insurrection directed from outside that they have sought the assistance of the United States in order to deal with it. The Americans have responded with aid, equipment and with men to train and advise the Viet-Namese Army. Whereas a year ago the Communist insurgents pretty well had their own way in Viet-Nam, there is now an even battle. Indeed, in certain areas President Diem's Government have been able to push back the Viet Cong and to limit their freedom of action.

However, we are now faced again with a situation in Laos which threatens to be equally grave. So far, in spite of many breaches of the cease-fire, we have been able to keep an uneasy truce in that country ever since the Geneva Conference was called two years ago. But this success is now in danger. The Prime Minister of Laos has made every effort to remedy this situation and to make his Coalition Government work effectively. My noble Friend the Foreign Secretary has repeatedly sought to get the Soviet Co-Chairman to obtain co-operation from the North Viet-Namese and the Pathet Lao. He has taken many initiatives in this field. The House can see copies of the correspondence, which is still continuing. But all this has been of no avail.

What, then, is the explanation? Is it that the Communists in Laos have found that to apply the Geneva Agreement(2) honestly would seriously hamper their attempt to take over Laos and that, therefore, they have abandoned all thought of honouring the agreements? Have they decided, instead, to try to partition Laos and to run what would virtually be a separate Government in their own zone? Will they continue to try to incorporate into this, by force, the areas held by the neutralists, so that they become masters of the greater part of Laos?

Would they then be content to sit still for a while, or might they even be so foolhardy as to try to push on into the Mekong Valley, hoping that nobody would come to the help of Prince Souvanna Phouma and his Government to prevent this? If this is their line of thinking they would be most unwise to come to any such conclusions. My noble Friend has been seeking to convince the Soviet Government how dangerous such a development would be.

Her Majesty's Government will continue to make every effort to see that the three parties in Laos are brought together, so that a fresh attempt may be made to go back to the proposals agreed at Geneva and to implement that settlement honourably.

(2) Vol. 161, page 748.

ACT OF PARLIAMENT to authorise the disclaimer for life of certain hereditary peerages; to include among the peers qualified to sit in the House of Lords all peers in the peerage of Scotland and peeresses in their own right in the peerages of England, Scotland, Great Britain and the United Kingdom; to remove certain disqualifications of peers in the peerage of Ireland in relation to the House of Commons and elections thereto; and for purposes connected with the matters aforesaid

[Eliz. 2. Ch. 48] [31st July, 1963]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Disclaimer of Peerage

1.—(1) Subject to the provisions of this section, any person who, after the commencement of this Act, succeeds to a peerage in the peerage of England, Scotland, Great Britain or the United Kingdom may, by an instrument of disclaimer delivered to the Lord Chancellor within the period prescribed by this Act, disclaim that peerage for his life.

(2) Any instrument of disclaimer to be delivered under this section in respect of a peerage shall be delivered within the period of twelve months beginning with the day on which the person disclaiming succeeds to that peerage or, if he is under the age of twenty-one when he so succeeds, the period of twelve months beginning with the day on which he attains that age; and no such instrument shall be delivered in respect of a peerage by a person who has applied for a writ of summons to attend the House of Lords in right of that peerage.

(3) The foregoing provisions of this section shall apply to a person who has succeeded to a peerage before the commencement of this Act as they apply to a person who succeeds to a peerage after the commencement of this Act, but subject to the following modifications:—

(*a*) the period within which an instrument of disclaimer may be delivered by such a person shall be twelve months beginning with the commencement of this Act or, if he is then under twenty-one years of age, twelve months beginning with the day on which he attains that age; and

(*b*) an instrument of disclaimer may be delivered by such a person notwithstanding that he has applied before the commencement of this Act for a writ of summons to attend the House of Lords.

(4) In reckoning any period prescribed by this section for the delivery of an instrument of disclaimer by any person no account shall be taken of any time during which that person is shown to the satisfaction of the Lord Chancellor to have been subject to any infirmity of body or mind rendering him incapable of exercising or determining whether to exercise his rights under this section.

(5) The provisions of Schedule 1 to this Act shall have effect with respect to the form of instruments of disclaimer under this section, and the delivery, certification and registration of such instruments.

2.—(1) Where a person who succeeds to a peerage to which section 1 of this Act applies is a member of the House of Commons when he so succeeds, any instrument of disclaimer to be delivered by him under that section in respect of that peerage shall be delivered within the period of one month beginning with the date of his succession, and not later; and until the expiration of that period he shall not, by virtue of that peerage, be disqualified for membership of the House of Commons whether or not he has delivered such an instrument:

Provided that—

(*a*) a person who is exempt from disqualification for membership of the House of Commons by virtue only of this subsection shall not sit or vote in that House while so exempt; and

(*b*) if any such person applies for a writ of summons to attend the House of Lords in right of the peerage in question, this subsection shall cease to apply to him.

(2) Where a person who succeeds to such a peerage as aforesaid has been or is nominated as a candidate at a parliamentary election held in pursuance of a writ issued before his succession, he shall not (unless he applies for such a writ of summons as aforesaid) be disqualified by virtue of that peerage for election to the House of Commons at that election, and if he is so elected subsection (1) of this section shall apply to him as if he had succeeded to the peerage immediately after the declaration of the result of the election.

(3) Where an instrument of disclaimer is delivered under this Act by a person to whom this section applies, a copy of that instrument shall be delivered to the Speaker of the House of Commons.

(4) In reckoning any period prescribed by this section in relation to any person no account shall be taken—

(*a*) of any time during which proceedings are pending on any parliamentary election petition in which the right of that person to be elected or returned to the House of Commons is in issue ;

(*b*) of any time during which that person is shown to the satisfaction of the Speaker of the House of Commons to have been subject to any such infirmity as is mentioned in subsection (4) of section 1 of this Act ; or

(*c*) of any time during which Parliament is prorogued or both Houses of Parliament are adjourned for more than four days ;

and if Parliament is dissolved during that period the foregoing provisions of this section shall cease to apply to that person in respect of the peerage in question.

3.—(1) The disclaimer of a peerage by any person under this Act shall be irrevocable and shall operate, from the date on which the instrument of disclaimer is delivered,—

(*a*) to divest that person (and, if he is married, his wife) of all right or interest to or in the peerage, and all titles, rights, offices, privileges and precedence attaching thereto ; and

(*b*) to relieve him of all obligations and disabilities (including any disqualification in respect of membership of the House of Commons and elections to that House) arising therefrom,

but shall not accelerate the succession to that peerage nor affect its devolution on his death.

(2) Where a peerage is disclaimed under this Act, no other hereditary peerage shall be conferred upon the person by whom it is disclaimed, and no writ in acceleration shall be issued in respect of that peerage to the person entitled thereto on his death.

(3) The disclaimer of a peerage under this Act shall not affect any right, interest or power (whether arising before or after the disclaimer) of the person by whom the peerage is disclaimed, or of any other person, to, in or over any estates or other property limited or settled to devolve with that peerage.

(4) The reference in the foregoing subsection to estates or other property limited or settled to devolve with a peerage shall, for the purposes of the application of this Act to Scotland, be construed as including a reference to estates or other land devolving as aforesaid under an entail or special destination, or the beneficial interest in which so devolves under a trust.

Parliamentary qualifications of Scottish Peers, Irish Peers and Peeresses in own right

4. The holder of a peerage in the peerage of Scotland shall have the same right to receive writs of summons to attend the House of Lords, and to sit and vote in that House, as the holder of a peerage in the peerage of the United Kingdom; and the enactments relating to the election of Scottish representative peers shall cease to have effect.

5. The holder of a peerage in the peerage of Ireland shall not by virtue of that peerage be disqualified—

(*a*) for being or being elected as a member of the House of Commons for any constituency in the United Kingdom; or

(*b*) for voting at elections for that House whether or not he is a member of that House.

6. A woman who is the holder of a hereditary peerage in the peerage of England, Scotland, Great Britain or the United Kingdom shall (whatever the terms of the letters patent or other instrument, if any, creating that peerage) have the same right to receive writs of summons to attend the House of Lords, and to sit and vote in that House, and shall be subject to the same disqualifications in respect of membership of the House of Commons and elections to that House, as a man holding that peerage.

Supplemental

7.—(1) This Act may be cited as the Peerage Act 1963.

(2) The enactments described in Schedule 2 to this Act are hereby repealed to the extent mentioned in column 3 of that Schedule.

SCHEDULES

SCHEDULE 1

FORM, DELIVERY, CERTIFICATION AND REGISTRATION OF INSTRUMENTS OF DISCLAIMER

1. An instrument of disclaimer under this Act shall be an instrument under seal in the following form or any form to the like effect:

PEERAGE ACT 1963

WHEREAS I, ..., succeeded to the peerage[s] described in the Annex hereto on the date[s] specified in that Annex, and desire to disclaim the said peerage[s] for my life under the above mentioned Act;

AND WHEREAS I attained the age of 21 years [before the said date[s]] [on the day of];

NOW THEREFORE, I, the said....., in accordance with the provisions of the said Act, hereby disclaim the said peerage[s] for my life.

IN WITNESS whereof I have hereunto set my hand and seal this day of

Signed and sealed by the said
in the presence of:
Signature of witness
Address
.....
.....
Description

.....(L.S.)
(Signature)

ANNEX

Description of peerage[s]	*Date[s] of succession*

2. Any instrument of disclaimer under this Act shall be delivered to the office of the Clerk of the Crown in Chancery.

3. Where the Lord Chancellor is satisfied that an instrument of disclaimer in respect of a peerage has been delivered within the time allowed by this Act, he shall furnish to the person disclaiming the peerage a certificate to that effect, and shall cause particulars of the instrument and of his certificate to be entered in a register kept by him for the purpose, which shall be open to inspection by the public at all reasonable times.

4. A certificate of the Lord Chancellor that an instrument of disclaimer was delivered within the time allowed by this Act shall be conclusive evidence of that fact, but shall not be evidence of any other matter relevant to the validity of the instrument, including the right of the person by whom it was delivered to any peerage to which it relates.

SCHEDULE 2

ENACTMENTS REPEALED

Chapter	Title	Extent of Repeal
6 Anne c. 11...	The Union with Scotland Act 1706.	Article XXII of the Treaty of Union so far as that Article relates to peers of Scotland; and Article XXIII of that Treaty except the words from " that all peers of Scotland " to " enjoy the same ".
1706 c. 7 ...	An Act of the Parliament of Scotland ratifying and approving the Treaty of Union of the two Kingdoms of Scotland and England.	Article XXII of the Treaty of Union so far as that Article relates to peers of Scotland; and Article XXIII of that Treaty except the words from " that all peers of Scotland " to " enjoy the same ".
1706 c. 8 ...	An Act of the Parliament of Scotland settling the manner of electing the sixteen peers and forty-five commoners to represent Scotland in the Parliament of Great Britain.	So far as it relates to peers of Scotland.
6 Anne c. 78 ...	The Scottish Representative Peers Act 1707.	The whole Act.
39 & 40 Geo. 3. c. 67.	The Union with Ireland Act 1800.	In Article IV of the Treaty of Union, in the fourth paragraph, the words " of Great Britain ".
40 Geo. 3. c. 38 (Ir.)	The Act of Union (Ireland) Act 1800.	In Article IV of the Treaty of Union, in the fourth paragraph, the words " of Great Britain ".
10 & 11 Vict. c. 52.	The Representative Peers (Scotland) Act 1847.	The whole Act.
14 & 15 Vict. c. 87.	The Representative Peers (Scotland) Act 1851.	The whole Act.
7 & 8 Geo. 5. c. 64.	The Representation of the People Act 1918.	Section 9(5) so far as saved by paragraph (*a*) of the proviso to section 80(7) of the Representation of the People Act 1948.
18 & 19 Geo. 5. c. 34.	The Reorganisation of Offices (Scotland) Act 1928.	Section 6.

ACT OF PARLIAMENT to confer on Her Majesty in Council powers requisite to provide for the dissolution of the Federation of Rhodesia and Nyasaland[1], or the secession therefrom of any of the Territories comprised in the Federation; and for purposes connected with the matters aforesaid

[Eliz. 2. Ch. 34] [31st July 1963]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Her Majesty may by Order in Council provide for the dissolution of the Federation of Rhodesia and Nyasaland (hereinafter referred to as "the Federation"), with the consequential distribution of functions of the Federal Government and Legislature among the Territories; and an Order in Council under this section may make, or authorise the making of, such incidental, supplemental and consequential provisions as appear necessary or expedient for the purposes of the Order.

(2) Without prejudice to the generality of the foregoing subsection, the incidental, supplemental and consequential provisions which may be made by or under an Order under this section shall include provisions—

(*a*) for the apportionment and transfer of property, rights, liabilities, powers or duties of the Federation or the Government or Legislature thereof or of institutions operating for Federal purposes;

(*b*) as to the armed forces and public service of the Federation and persons being members or former members thereof and as to other persons employed or formerly employed for the purpose of institutions operating for Federal purposes (including provision for the discharge of obligations to, or otherwise compensating, such persons and for the apportionment of liabilities arising therefrom);

(*c*) for the determination of matters pending before Federal courts and tribunals;

(1) Vol. 160, page 22.

(*d*) for the continuance, as respects any of the Territories, of existing law as in force in the Territory immediately before dissolution, subject however to the powers of the authority having power to legislate for the Territory after dissolution and to any modifications or adaptations prescribed, by any authority in the Territory designated by Order under this section, in the exercise of powers conferred by such an Order;

(*e*) for modifying or adapting any Act of Parliament (and in particular the enactments relating to citizenship) or any instrument having effect under an Act of Parliament, so however that this section shall not authorise the amendment of the constitution of any of the Territories;

and if it is agreed between the Governments of all or any two of the Territories that it is expedient that provision should be made by Order in Council for the exercise, from the dissolution of the Federation or from any earlier date, of judicial or executive functions specified in the agreement by institutions or bodies constituted jointly for those Territories, Her Majesty may by Order in Council make that provision.

(3) In so far as appears expedient for facilitating the transition to the state of affairs which will be produced by the dissolution of the Federation, an Order under this section may be made so as to make provision for any matter falling within the foregoing subsection, and specified in the Order, as from such time before the dissolution as may be so specified.

(4) The power conferred by subsection (1) of this section shall include power by Order in Council to make provision whereby any of the Territories ceases to be included in the Federation, and references in the foregoing provisions of this section to the dissolution of the Federation shall be construed accordingly.

2.—(1) Any Order in Council under this Act may be varied or revoked by a subsequent Order in Council, or, to such extent as may be specified by Order in Council, in such other manner as may be so specified.

(2) No recommendation shall be made to Her Majesty in Council to make an Order under this Act unless a draft of the Order has been laid before Parliament and approved by Resolution of each House of Parliament.

(3) The foregoing subsection shall not apply in relation to the making of an Order at any time before the 1st October 1963, but any Order so made shall be subject to annulment in pursuance of a Resolution of either House of Parliament.

3.—(1) This Act may be cited as the Rhodesia and Nyasaland Act 1963.

(2) In this Act—

"the Federation" has the meaning assigned by section 1(1) of this Act, and "Federal" shall be construed accordingly;

"the Territories" means Southern Rhodesia, Northern Rhodesia and Nyasaland, and "Territory" shall be construed accordingly.

(3) The powers conferred by this Act shall be in addition to, and not in derogation of, the powers conferred by any other enactment.

[NOTE.—The Order in Council dissolving the Federation was made in London on 20th December, 1963(2).]

(2) *Statutory Instruments*, 1963 (No. 2085).

SPEECH by the Secretary of State for Foreign Affairs, Lord Home, to the Eighteenth Session of the United Nations General Assembly.—New York, 1st October, 1963(1)

For a number of years those of us who have spoken to this annual session of the Assembly have done so against a background of cold war, and on any analysis it has been the fact of the deep schism in ideology between the Communist world and the rest which has accounted for the comparative failure of the United Nations Organisation to develop collective security, which was the ambition of the authors of the Charter(2), and is in the long run the only sure guarantor of peace.

I have never concealed from my colleagues where, in my belief, the blame for our frustrations lay. It could be placed firmly on that part of the Marxian–Communist doctrine which

(1) United Nations No. 1 (1964) (Cmnd. 2431), page 84.
(2) Vol. 145, page 805.

permitted force to be used to promote a political creed. National jealousies and rivalries must bear a heavy share of the guilt but since the war subversion backed by the threat of armed action was the root cause of the world's fears.

Now there are signs which may herald a new chapter of co-operation between the Soviet Union and the West which could in its turn have a most profound influence on the conduct, usefulness and efficiency of the United Nations. Mr. Khrushchev has time and again in recent months declared on behalf of the Soviet Government that to interpret Communist doctrine in terms of world war is wrong and is folly. So strongly has he (to use the wrong metaphor) stuck to his guns that he and his Soviet colleagues have been ready to split the Communist world in half rather than compromise.

The Soviet Union is, if I may say so, right to take this uncompromising stand against war. When therefore Mr. Gromyko kindly allowed me to do a television broadcast a few weeks ago to the Soviet People I told them that Mr. Khrushchev's renunciation of the use of war was the key—the only key which could open the way to genuine co-existence. I welcome it as I do the approach to peace through negotiation which was stressed by Mr. Gromyko in his speech to the Assembly. For the plain truth is that the nuclear bomb has made war unthinkable as an instrument of national policy or a means of propagating a particular doctrine. The more one knows about the annihilating capacity of nuclear weaponry, the more certain it is that man will have to rethink his traditional and habitual attitudes to disputes with his neighbour. On paper Communist theory may include the use of force but the national interest of the Soviet Union cannot endorse it. China at present may think that from a nuclear holocaust she would inherit the earth. But she will learn as she gains nuclear knowledge that all her millions would not save her from annihilation if nuclear war were to break. China too in her turn will be compelled to drop force from her national programme if she wishes to survive. Mr. Khrushchev has said recently in Moscow that at the end of a nuclear war nobody can say what the fate of the survivors will be, whether they won't envy the dead? It could hardly be better put. And remember, nuclear dust is no respecter of frontiers.

But good as it is, it does not go far enough. To renounce war is good, wholly good. To advocate and practise good neighbourliness is better. We ought all to realise that all roads lead neither to Communism, nor to Capitalism, nor to any other sort of "ism". My own country is a mixed economy, with private enterprise working alongside public enterprise to the advantage of both. There are enough divisions between nations without artificially creating more.

So while I agree with Mr. Khrushchev's modification of Communist doctrine about war, I agree with enthusiasm with something else he said about eighteen months ago: he said, and Mr. Gromyko will correct me if I am wrong, "The construction of Communism in the Soviet Union is tantamount to the fulfilment of our international duty to all the revolutionary forces of the world". In other words, if the Soviet Union, by the force not of power, nor of subversion, nor of exploitation of other people's quarrels, but by the force of its own example in building a fuller and more prosperous life for its people, converts the rest of us to its way of thinking, then I for one shall have no quarrel with them. I may not approve Communist philosophy and practice but it will have won by fair means.

It would be optimistic to believe that the world can avoid fighting of all kinds. With the dissolution of the colonial empires of the British, the French, the Belgians and the Dutch, the newly independent nations in Asia and in Africa are faced with the need to harmonise relations between themselves. Rivalries and jealousies are emerging but there is with them a dawning recognition of the truth.

In Africa for instance the new countries acknowledge the chaos which would follow if one African country or another were to try to alter existing frontiers by force of arms. The Addis Ababa Conference seemed in this respect to recognise the red light. Yet in contemplating what they called wars of liberation to alter the direction of Portuguese colonial policy or to compel South Africa to abandon apartheid, they surely fell into the error which they so vigorously denounce in others. For the lesson of the 20th century is the same for African, European or Asian: force can solve nothing and however strong the political emotions which inspire the desire to employ it, they must be resisted. Wars of liberation are none the less

wars and it is wars which must be stopped. A nation, it is true, must reserve the right of self-defence in case a neighbour runs amok—that is recognised in the Charter—but example and negotiation, patience and persistence are the only legitimate means of changing the status quo. That is the truth and men everywhere must accept it or all races will die.

Soviet acceptance of the truth of this thesis could alter the prospects for the future for the whole of mankind. If from now on we can change the emphasis from meetings to avert recurrent crises to meetings to look for mutual advantage, the Soviet Union, the United States and Europe would set an example in peaceful change where it is most needed. A new willingness to negotiate should be reflected in easier relations within the United Nations and a start could be made to re-create the conditions envisaged by the authors of the Charter, namely, one in which the most influential and powerful nations in the world combined to help the rest to ensure the peace.

I must still express myself conditionally because although, as I shall say in a moment, I endorse much of the message which Mr. Gromyko brought to the Assembly and although I believe that Russia has decided not to use force, we must not gloss over the situations where Communist and Western philosophy confront each other on the ground. The Berlin Wall is still there as a blemish and denial of peaceful co-existence. Self-determination while it is preached for others is denied to the East Germans.

The Soviet Union claims that East Germany is an independent country deserving of recognition by others, but so little faith do they have in the regime and the people that they are forbidden free elections by which alone they can decide their own future.

These disputes are there but it is all gain if it is accepted by the Soviet Union and the Western allies that these problems must be settled by negotiation and not by threats of force, however long and testing negotiations may be. If that is the difference between 1963 and 1962 it is a notable advance. I hope that in 1964 we shall be able to say that this session of the Assembly marks the end of the cold war. Meanwhile if agreement is not as yet in sight on the main political issues

perhaps it may be better to try and create a political climate in which they can be tackled more calmly and objectively by trying to establish collateral settlements which will contribute to confidence.

Under Mr. Krushchev's own heading of " step by step ", which if I may say so I think was very wise, I will try and analyse the possibilities. Although it is true that no country now possessing nuclear weapons will give control of them to one which has not, an agreement to prevent the wider spread of such weapons would reduce the risk of war. Satisfactory agreement to place observers in key points in all the countries of the NATO and Warsaw alliances, including Russia and America could reduce the fear expressed by both Germany and the Soviet Union of a surprise aggression by conventional forces. I regard this as the most promising collateral measure which we can pursue and I would hope that we can work out a plan for adoption. Another possibility would be an agreement between the United States and the Soviet Union to prevent the spread of weapons of mass destruction to outer space. The atmosphere for disarmament negotiations would then be immeasurably improved.

The secret of disarmament is that the process should be balanced and the programme should be phased. If we could take total disarmament in one jump as the Soviet Union has often proposed, that would be good. But the confidence for such a move is just not there and we know we can only arrive at our common goal by more gradual means. A phased and balanced programme for general disarmament under strict and effective international control remains our ultimate aim.

I have read with great attention Mr. Gromyko's speech (of September 19) to this Assembly and I welcome the constructive passages in it on disarmament. Amongst other things, Mr. Gromyko proposed that some missiles should be retained until the completion of the whole process of general disarmament. This certainly seems to remove one of the objections which we advanced to his original proposal of last year, and it does, I think, show the value of the Geneva Conference, where this kind of point can be examined in detail. There are other points in Mr. Gromyko's plan which have been discussed at Geneva with which I could not agree. But it may be that we are

getting a little nearer to some start with the physical destruction of some weapons. I want to see the graph of the armament race begin to turn down. The Geneva Conference when it reassembles should concentrate on that.

Mr. Gromyko also said that in order to bring about a radical shift in the disarmament talks, the Soviet Government proposed to convene early next year a conference of the leading statesmen of the members of the Eighteen-Nation Disarmament Committee. I can see some value in such a meeting if the result of it was to be a number of clear directives to produce programmes of physical disarmament under a number of specified headings.

I hope I am not guilty of irreverence when I say that on past form such exalted gentlemen have tended to show themselves above the sordid business of detail and the market place. But balanced disarmament requires precision and it is there that preparation is essential. I suggest that the best procedure would be to select certain objectives and make them the subject of intensive study in Geneva and between governments in the months ahead.

They should include :

1. Non-dissemination,

2. Observers to mitigate the dangers of surprise attack, and

3. Progress on Stage I of a plan for general disarmament including the abolition of some nuclear delivery vehicles.

My Government will gladly join in any preliminary discussions which in turn could lead to such a meeting as Mr. Gromyko described, and give it a better chance of showing results.

I have used, in the past, the words " to maintain momentum " in default of any better expression because it would be easy —fatally easy—to relapse into the armed stalemate of recent years. I do not subscribe to the view that there is no scope for settlements of mutual advantage to East and West. Doctrines are modified by the facts of life ; situations are not static: they change and fresh opportunities arise which it is the business of statesmen to seize. I think that Soviet minds may be moving in the same direction. If so let our minds meet.

I would now like to turn to another aspect of United Nations organisation and practice also closely related to the prospects of peaceful change.

Inspired by the newer members of the organisation, an increasing proportion of the organisation's work has been devoted to the acceleration of political change in colonial territories. The aim that each country now dependent on us should be given a chance to stand on its own feet is one that Britain accepted long ago. It is in fact the mainspring of the Commonwealth idea. I must however put frankly to the Assembly some repercussions of our policy of decolonisation which I confess we find it difficult to understand. Let me illustrate by topical example. Kenya's march to independence has been accompanied by a rupture of Britain's relations with Somalia. Why? Simply because we refuse to dismember Kenya against her will before her independence. The proclamation of Malaysia recognised by the Secretary-General of the United Nations to be the will of the people of Malaysia has led to a violent attack on Malaysia and Britain by Indonesia. These seem to us strange by-products of a policy of granting independence which has been urged upon us by every African and Asian country.

The issue in Britain is not therefore whether there shall be independence, but when there shall be independence; and the only check on the pace of the transfer of power in any country is the ability of the territory to make both ends meet economically, and the acceptance of a constitution which will operate from the date of independence which we—who have been trustees for the welfare of every section of that country's society—may say to the world with a good conscience will provide responsible government within and neighbourliness in international relations. Is that wrong? I doubt if there is one among the delegates who would say so and yet in the Committee of Twenty-four and in the Security Council there has been a tendency to put my country in the dock on the issue of colonialism.

If my Government is to be attacked for taking scrupulous care to build societies in which majorities rule but in which, and this is the essence of democracy, minorities are safeguarded, then Sir Patrick Dean and I will stand in the dock

with our heads high. We do not mind being pushed on a course of decolonisation in which we believe, but we shall in each case exercise our own freedom of judgment on the timing of transfer of power.

I must say a word in time to my colleagues in this Assembly about the fashionable accusation which recurs in speech after speech of "neo-colonialism". My answer to the charge against my country and others is short and to the point. Do the new countries of Asia and Africa want capital for development or do they not? Is the world's greatest problem the gap in earnings between the rich countries and the poor countries or is it not? If it is, where is the capital to be found?

Now if "neo-colonialism" was just a parrot-cry of adolescence the countries with the capital could shrug it off and invest. But it is not. It is coming to be the prelude to seizure and confiscation of assets. I must repeat what I have said before from this rostrum. A few more cases like that of Indonesia and the supply of capital will dry up. Mr. Gromyko was right in assuming that "the British know how to count and what's what when they are dealing with advantage and disadvantage". I hope we shall hear less of that synthetic grievance. All that this talk of "neo-colonialism" does is to play into the hands of racialism and poverty both of which should be eschewed like the human plague. As I believe East and West can come together, so I see no reason why Britain should quarrel with members of the United Nations over colonalism so long as it is recognised that the orderly transfer of power is the secret of peaceful change. We intend to transfer power with speed and in good order.

I would like now, if I may, to offer some reflections arising from the expansion of the United Nations and the impact of that expansion on our procedures.

Most people agree that membership should be universal; there is really no alternative. If that is so then Communist China should be a member and South Africa should be a member and so should any other country which establishes itself as an independent entity. We may singly or in groups deplore the politics or policies of one country or another, but once eviction is allowed by majority vote, the organisation

will cease to represent or reflect the state of the world. No one asks the United Nations to tolerate wrong but our influence on each other must be by example.

Universal membership brings with it universal obligations, one of which is to keep the Organisation solvent and equipped for the functions and obligations laid upon it by the Charter. That is why the United Kingdom although we do not always approve of every action (some aspects of the Congo operation for example) supported the opinion given by the majority of the International Court of Justice and paid up our share of the general expenses of the Organisation. This issue will be brought to a head in January when, if matters continue as they are at present, certain countries will forfeit their right to vote under Article 19 of the Charter.

By a special effort of the free nations, and by the fact that the Secretary-General has been successful with his bond issue, we were able to pay the bills of the Organisation for the first half of 1963. Even that has been possible only because the United States and ourselves, and a few other countries, have paid more than their share. The majority of members recognise that this is wrong and have tried their best to find a fair solution. But it seems certain that some countries will refuse to meet their obligations, and face the members of the United Nations with alternatives, all of which are bad.

Either we must abandon peacekeeping operations altogether, or the whole cost of those operations will fall on the nations who care for peace and stability, or by their own hand some governments will deprive themselves of the right to vote. What could not be tolerated is a situation in which some countries refuse to pay their assessed share of the expenses of the Organisation, but claim the right to continue voting and influencing decisions on the issues concerned.

I trust that all members will help the United Nations to maintain its existing operations, so long as the need for them is real, and will equip the Secretary-General with the funds that are necessary for him to accept those assignments which practice has proved help to avert war and keep the peace.

My Government would also like to see the element of improvisation removed from the organisation of such opera-

tions. In particular and as a start we should authorise the Secretary-General to strengthen, on a permanent basis, the section of his staff which for convenience I will call the chain of command. If, as seems certain, operations have to be undertaken, there is everything to be said for them being efficient.

I am very reluctant to accept the position that this Organisation can do nothing but talk. It would, I suppose, still be better than nothing, but we should have abdicated the duties of promoting peace and peaceful change which lie at the centre of the Charter. My Government will in the coming months gladly share its views with our colleagues here to try to avert this crisis in United Nations affairs; for otherwise our consciences will be heavy with failure.

President Kennedy in his speech twelve days ago[3] rightly underlined another way in which the United Nations can respond to the fundamental needs of man, and that is by stepping up the offensive against want.

I would like here to pay tribute to the stirring words of President Kennedy when he referred to the task of all nations in combatting "plague and pestilence, plunder and pollution, the hazards of nature and the hunger of children". In fighting these common enemies the contribution of the United States has been outstanding. We in the United Kingdom, with it is true smaller resources, line ourselves up with his crusade.

But wherever I turn to this or that aspect of international living I always return time and again to the fact of the nuclear bomb and its impact on mankind's thought and action.

It is the most difficult of all things to reverse the thinking and habits which have governed man for thousands of years. Yet this time nothing less will do because the words annihilation, extinction and holocaust as applied to world society are this time real.

That is the truth which East and West, race and race, coloured and non-coloured must accept.

We cannot afford to live in the atmosphere of threats and force and jealousy and prejudices which is the recurrent state of international relations.

(3) *See* page 409.

And the question is, now that we can mark a beginning of a release of tension, can our minds grasp the whole truth and can this Assembly help man to cut through the habits of ages and act on the truth that there is no choice now but that man must live in peace? If so, and only if so, and I pray it be so, man will live to see another and a brighter day.

STATEMENT on United Kingdom agreement to attend discussions on the formation of a NATO Mixed-manned Nuclear Force without commitment to participation in such a Force.—London, 1st October, 1963[1]

At their meeting in Nassau last December[2], the President of the United States and the Prime Minister of the United Kingdom agreed to use their best endeavours to develop a NATO multilateral nuclear force, to which both the United States and the United Kindom Governments would contribute national forces.

The United Kingdom Government have assigned the V-bomber force to NATO[3] and are pledged to make their Polaris submarines, when completed, available for inclusion in a NATO nuclear force for the purposes of international defence of the Western alliance in all circumstances, except where they may decide that supreme national interests are at stake. In so doing they have fulfilled the specific obligation which they assumed at Nassau.

On the same occasion the President explained to the Prime Minister that he also intended to pursue the formation of a mixed-manned nuclear force to be assigned to NATO and to which non-nuclear powers could contribute.

The United Kingdom Government have, from the outset, recognised the importance of this further proposal. They have agreed that the conception is one which deserves examination, together with other possible means of developing the concept of a NATO multilateral nuclear force; but they have never

(1) Issued by the Prime Minister's Office.
(2) *See* Vol. 166, page 643.
(3) *See* page 173.

given any undertaking to participate in the mixed-manned component although they have agreed to consider providing it, if it is formed, with operational facilities.

It was in this spirit that, at their meeting at Birch Grove in July(4), the President of the United States and the Prime Minister of the United Kingdom agreed that various possible ways of promoting a closer association of the members of the NATO alliance with its nuclear deterrent should be further discussed with their allies, on the basis that such discussions should include proposals for a mixed-manned force without prejudice to the question of United Kingdom participation in it.

The terms of reference for the discussion now proposed, although specifically reserving national decisions on participation in the mixed-manned force to individual governments, state that those taking part, will be prepared " to enter into detailed discussions with that end in view ".

In the light of the attitude which they have consistently adopted towards this project, as indicated above, the United Kingdom Government do not feel that they could in good faith enter these discussions on terms of reference which imply this degree of commitment in principle to participation in a mixed-manned force of surface ships, especially since the value of a force of this kind in relation to the expenditure of resources which it would entail has been publicly questioned and this issue is now under examination in the context of the NATO strategic review.

Therefore, if they are to take part in the discussions it must be on the clear understanding that it does not commit them to participate in such a force.

Subject to this reservation, the United Kingdom Government are prepared to join in the objective examination of the project in all its aspects and possible variations.

(4) *See* page 94.

THE QUEEN'S SPEECH on the Closing of Parliament.—Westminister, 24th October, 1963

My Lords and Members of the House of Commons

It was a great joy to my Husband and to Me to visit Australia and New Zealand again and to see the splendid progress made

since our previous visit 10 years ago. On my outward journey I was able to spend a short time in Fiji.

My Husband and I were glad to welcome the King and Queen of the Belgians, the King and Queen of the Hellenes, and the President of India on their visits to this country.

My Government have maintained their support for the United Nations and its Agencies and have worked for the achievement of the aims expressed in the United Nations Charter. In the pursuit of general and complete disarmament they have been encouraged by the Treaty banning nuclear tests in the atmosphere, in outer space and under water which has now entered into force. They hope that this agreement will be followed by others helping to reduce international tension.

My Government have continued to play an active part in the international organisations of which the United Kingdom is a member. My Armed Forces, and the regional defence organisations to which the United Kingdom belongs, have helped to maintain peace and stability in many parts of the world. My Government were quick to respond to India's request for assistance to help to meet Chinese attacks.

My Government deeply regretted the interruption of the negotiations for the accession of the United Kingdom to the Treaties of Paris and Rome. They have continued to work for a wider European unity. They have proposed that the work of the Western European Union and the Council of Europe should be further developed, and have continued their efforts to strengthen the European Free Trade Association.

My Government joined with the Government of the Federation of Rhodesia and Nyasaland, the Governments of Southern and Northern Rhodesia and observers from the Government of Nyasaland in a Conference on the dissolution of the Federation. There was full agreement that arrangements should be made for the orderly and speedy transfer of Federal responsibilities to the territorial Governments. The necessary enabling legislation has been passed. A date has been announced for the proposed independence of Nyasaland.

My Government welcomed the achievement of independence by North Borneo (now named Sabah), Sarawak and Singapore when they joined the States of the Federation of Malaya in

Malaysia. My Government particularly welcomed the Report by the Secretary-General of the United Nations confirming that popular support for Malaysia existed in Sabah and Sarawak.

Agreements have been reached on constitutional advance in the Bahamas, British Honduras and the Gambia, and My Government have outlined the form which they consider the new Swaziland Constitution should take. Dates for the proposed independence of Kenya, Malta and Zanzibar have been announced. Aden has acceded to the Federation of South Arabia.

My Government have continued to work through the General Agreement on Tariffs and Trade for the freer flow of international trade with particular regard for the needs of the developing countries. The power of the Commonwealth Development Corporation to invest in some Commonwealth countries has been extended.

A Treaty of Commerce Establishment and Navigation between the United Kingdom and Japan has entered into force.

Members of the House of Commons

I thank you for the provision which you have made for the public services.

My Lords and Members of the House of Commons

Through their fiscal, monetary and other economic policies, My Government have laid the foundations for a faster rate of economic expansion and growth in real incomes. They have participated in the work of the National Economic Development Council and have welcomed the important contribution of the National Incomes Commission to this objective. A wide range of special measures has been taken to stimulate employment in Scotland, North-East England and in the development districts in other parts of the country. Steps have been taken to increase considerably the facilities for the retraining in building and engineering of workers displaced by industrial change.

The strength of sterling has been maintained and My Government have continued to play a leading part in the growing international co-operation on monetary affairs.

An Act has been passed enabling hereditary peerages to be disclaimed and admitting hereditary peeresses and all Scottish peers to the House of Lords.

My Government have announced their intention to adapt the agricultural support system to present needs within the principles of the Agriculture Acts of 1947 and 1957. They are engaged in consultations on measures to secure greater stability in the market for cereals and fatstock. Several forms of new or improved assistance to agriculture have been provided. My Government have taken steps to secure freedom to extend United Kingdom fishing limits.

A further large expansion of the teacher training colleges has been undertaken. Support for advanced study and scientific research in the universities is increasing substantially with the growth of Exchequer grants through the University Grants Committee, and has been further increased by extra assistance from the Research Councils. An Act has been passed to provide means of determining teachers' salaries in England and Wales until 1965.

Plans for the development of the health and welfare services of local authorities in England and Wales have been laid before you. Measures have been enacted to promote the welfare of children and to secure the health, safety and welfare of persons employed in shops and offices.

Acts have been passed to reorganise local government in Greater London and to provide for the comprehensive management of the water resources of England and Wales.

Legislation has prescribed minimum periods of notice for the termination of employment and has required employers to provide written statements of terms of employment.

The period for which the Independent Television Authority provide television services has been extended to 1976 and the powers and duties of the Authority have been amended.

Legislation has been passed improving the law relating to criminal justice in Scotland, revising the arrangements for paying grants to Scottish local authorities and amending the law relating to education in Scotland.

A Consumer Council has been established, the Weights and Measures legislation has been modernised and extended, and an Act has been passed to regulate the soliciting of deposits from the public.

An Act has been passed increasing substantially the penalties for provoking disorder in public places or at public meetings.

War pensions and the pensions of retired public servants have been increased, pensions and other benefits under the National Insurance and Industrial Injuries Schemes have been raised and national assistance scales have been improved.

My Lords and Members of the House of Commons

I pray that the blessing of Almighty God may attend you.

THE QUEEN'S SPEECH on the Opening of Parliament.—Westminster, 12th November, 1963

My Lords and Members of the House of Commons

The Nuclear Test Ban Treaty signed last summer in Moscow was the result of many years of patient effort by My Government in co-operation with successive administrations in the United States, and has been welcomed throughout the world. Encouraged by this My Government will pursue the cause of peace with renewed confidence and vigour. They believe that by patience and persistence a steady increase of confidence can be achieved between the two great groups of Powers. They will continue to support the freedom of West Berlin and to seek solutions of the problems of European security and Germany.

They will continue their support for the United Nations in many spheres, both in its work for the preservation of peace and in its economic and social activities. At the same time, in accordance with the Charter, they will continue to play their part in the North Atlantic Alliance and other regional associations for the defence of freedom.

They believe that the Commonwealth has a significant part to play in ensuring stability and peace in the world, and they will continue to take all possible steps to strengthen the links

between the Governments, and peoples, of the Commonwealth. In their efforts to expand world trade, My Government will continue to attach great importance to the maintenance and development of commerce between Commonwealth countries.

My Government will carry out loyally their obligations to various international organisations. In this spirit they will continue their efforts to reduce barriers to trade, both within and beyond Europe. They will sustain, to their best, the developing strength of the European Free Trade Association, and at the same time continue to seek harmonious relationships with the European Economic Community and its member States. They will work for the strength and unity of Europe, through the Council of Europe and the Western European Union.

My Government will continue their efforts to promote peace and stability in South and South-East Asia.

My Government attach great importance to the forthcoming tariff negotiations in the General Agreement on Tariffs and Trade and to the United Nations Conference on Trade and Development. Their success would make it possible to increase Commonwealth and international trade. This will particularly benefit the developing countries for which My Government will also be providing an expanding programme of financial and technical assistance.

As a result of the successful outcome of the Victoria Falls Conference proposals will be laid before you to transfer the responsibilities of the Government of the Federation of Rhodesia and Nyasaland to the territorial Governments. Bills will be introduced to provide for the independence of Kenya, Malta, Nyasaland and Zanzibar, and to provide a new Constitution for the Bahamas.

My Armed Forces will continue to play their part in maintaining order and security in the world.

Legislation will be laid before you to carry out the intentions that My Government declared in Parliament last summer with regard to the reform of the central organisation for Defence. My Government are confident that this modernisa-

tion of the whole defence system is in accordance with the needs and spirit of the time. Provision will also be made to improve the organisation of My Reserve Forces.

Members of the House of Commons

Estimates for the public services will be laid before you.

My Lords and Members of the House of Commons

My Ministers will bring forward further proposals for the modernisation of Britain, covering many of the economic and social aspects of our national life.

Plans for comprehensive regional development will be laid before you for central Scotland and North-East England. Plans appropriate to other regions will follow. A Bill will be introduced to make improved provision for industrial training. My Ministers are engaged in discussions with both sides of industry about severance payments to employees who become redundant.

My Ministers will encourage the provision of a modern transport system by all appropriate means, including planning, investment and research. Legislation will be introduced to secure the ordered development of the major ports under the guidance of the National Ports Council.

My Government will ensure a proper balance between home-grown and imported food on the basis of an efficient and prosperous home agriculture. To this end they will lay before you proposals to prevent imports from undermining the market and intend to adapt the guarantee arrangements for cereals and fatstock. Legislation will be introduced to promote the well-being of horticulture. Proposals will also be made to enable rights to be conferred on breeders of new varieties of plants.

My Government will continue to support the fishing industry and have invited Western European countries to discuss fishing problems, including access to fishing grounds and markets.

My Ministers are determined to maintain the expansion of the economy in all parts of the country based on a high and stable level of employment. They will continue to encourage

growth without inflation, aided by the work of the National Economic Development Council and the National Incomes Commission and supported by a sustained export effort.

These developments at home must be matched by action designed to sustain our economic position overseas. With other Governments My Ministers will continue to promote arrangements for international payments on a scale adequate to maintain the growth of the world's economy. They will maintain the position of sterling and strengthen the balance of payments.

My Ministers will ensure that economic growth is matched by social advance. Great progress has already been made in the development of higher education. My Ministers recognise the importance of securing a substantial further expansion of the universities and of other institutions of higher education. They will, therefore, bring forward proposals based on the recommendations of the Committee on Higher Education. They will press forward the measures needed to provide for a rising school population and to improve the standards of school education. They will review and strengthen the organisation for supporting science and technology, and encouraging their application to industrial processes; will promote a further increase in the number of qualified scientists and engineers; and will encourage the growth of research.

The rate of house building will be increased. Measures will be laid before you to stimulate building by housing societies, to provide for the systematic improvement of many more houses each year and to strengthen and extend the powers of local authorities to secure better living conditions for the tenants of houses in multiple occupation. Steps will be taken to help the construction industries to increase productivity and to achieve larger building programmes.

Bills will be introduced to reorganise the arrangements for the administration of justice in Greater London, to alleviate hardship resulting from litigation between persons who receive legal aid and those who do not, and to empower the Court of Criminal Appeal to order a new trial of a convicted person on grounds of fresh evidence.

You will be invited to consider arrangements for the payment of compensation to the victims of crimes of violence.

A Bill will be introduced to implement recommendations of the Royal Commission on the Police and to bring up to date the law relating to police administration.

My Ministers will continue to give special attention to the development of the Highlands and Islands. Measures will be introduced to develop the tourist industry in Scotland and to improve the amenities of the countryside; and to amend the law of Scotland concerning succession.

A Bill will be laid before you providing relief to certain householders suffering hardship from increased rates as the result of revaluation of their houses.

Other measures will be laid before you.

My Lords and Members of the House of Commons

I pray that the blessing of Almighty God may rest upon your counsels.

ACT OF PARLIAMENT to make provision for, and in connection with, the attainment by Kenya of fully responsible status within the Commonwealth, including provision for terminating the giving of financial and other assistance to the East African Common Services Organisation under the Colonial Development and Welfare Act 1959

[Eliz. 2. Ch. 54] [3rd December 1963]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) On and after 12th December 1963 (in this Act referred to as " the appointed day ") Her Majesty's Government in the United Kingdom shall have no responsibility for the government of Kenya or any part thereof.

(2) No Act of the Parliament of the United Kingdom passed on or after the appointed day shall extend, or be deemed to extend, to Kenya, or any part of Kenya, as part of the law

thereof; and on and after that day the provisions of Schedule 1 to this Act shall have effect with respect to legislative powers in Kenya.

(3) In this Act "Kenya" includes the territories comprised immediately before the appointed day in the Kenya Protectorate.

2.—(1) On and after the appointed day, the British Nationality Acts 1948 and 1958[1] shall have effect as if—

(*a*) in section 1(3) of the said Act of 1948 (which provides for persons to be British subjects or Commonwealth citizens by virtue of citizenship of certain countries) there were added at the end the words "and Kenya";

(*b*) in Schedule 1 to the British Protectorates, Protected States and Protected Persons Order in Council 1949[2] the words "Kenya Protectorate" were omitted:

Provided that a person who, immediately before the appointed day, is for the purposes of the said Acts and Order in Council a British protected person by virtue of his connection with the Kenya Protectorate shall not cease to be such a British protected person for any of those purposes by reason of anything in the foregoing provisions of this section, but shall so cease upon his becoming a citizen of Kenya under the law thereof.

(2) Save as provided by section 3 of this Act, any person who immediately before the appointed day is a citizen of the United Kingdom and Colonies shall on that day cease to be such a citizen if on that day he becomes a citizen of Kenya.

(3) On and after the appointed day, section 6(2) of the British Nationality Act 1948 (which provides for the registration as a citizen of the United Kingdom and Colonies of a woman who has been married to such a citizen) shall not apply to a woman by virtue of her marriage to a person who on the appointed day ceases to be such a citizen under subsection (2) of this section, or would have done so if living on the appointed day.

(4) Part III of the British Nationality Act 1948 (which contains supplemental provisions) shall have effect for the purposes of the foregoing subsection and section 3 of this Act as if those provisions were included in that Act.

(1) Page 1.
(2) Vol. 153, page 33.

3.—(1) Any reference in subsection (2) or subsection (3) of this section to a colony, protectorate or protected state shall, subject to subsection (7) of this section, be construed as a reference to a territory which is a colony, protectorate or protected state (within the meaning of the British Nationality Act 1948) on the appointed day, and, accordingly, shall not include a reference to Kenya or any part thereof.

(2) Subject to subsection (6) of this section, a person shall not cease to be a citizen of the United Kingdom and Colonies under section 2(2) of this Act if he, his father or his father's father—

(*a*) was born in the United Kingdom or in a colony ; or

(*b*) is or was a person naturalised in the United Kingdom and Colonies ; or

(*c*) was registered as a citizen of the United Kingdom and Colonies ; or

(*d*) became a British subject by reason of the annexation of any territory included in a colony.

(3) A person shall not cease to be a citizen of the United Kingdom and Colonies under section 2(2) of this Act if he was born in a protectorate or protected state, or if his father or his father's father was so born and is or at any time was a British subject.

(4) A woman who is the wife of a citizen of the United Kingdom and Colonies shall not cease to be such a citizen under section 2(2) of this Act unless her husband does so.

(5) Subject to subsection (6) of this section, the reference in subsection (2)(*b*) of this section to a person naturalised in the United Kingdom and Colonies shall include a person who would, if living immediately before the commencement of the British Nationality Act 1948, have become a person naturalised in the United Kingdom and Colonies by virtue of section 32(6) of that Act (which relates to persons given local naturalisation before that commencement in a colony or protectorate).

(6) Subsection (2) of this section shall not apply to a person by virtue of any certificate of naturalisation granted or registra-

tion effected by the governor or government of a territory outside the United Kingdom which is not a colony, protectorate or protected state (within the meaning of the said Act of 1948) on the appointed day.

(7) The protectorates of Northern Rhodesia and Nyasaland shall be excepted from the operation of any reference in this section to a protectorate.

4.—(1) Notwithstanding anything in the Interpretation Act 1889 the expression " colony " in any Act of Parliament of the United Kingdom passed on or after the appointed day shall not include Kenya or any part thereof.

(2) On and after the appointed day—

(*a*) the expression " colony " in the Army Act 1955, the Air Force Act 1955 and the Naval Discipline Act 1957 shall not include Kenya or any part thereof ; and

(*b*) in the definitions of " Commonwealth force " in sections 225(1) and 223(1) respectively of the said Acts of 1955, and in the definition of " Commonwealth country " in section 135(1) of the said Act of 1957, at the end there shall be added the words " or Kenya ".

(3) No Order in Council made after 31st December 1963 under section 1 of the Army and Air Force Act 1961 shall operate to continue either of the said Acts of 1955 in force as part of the law of Kenya or any part thereof.

(4) On and after the appointed day, the provisions specified in Schedule 2 to this Act shall have effect subject to the amendments respectively specified in that Schedule, and Her Majesty may by Order in Council, which shall be subject to annulment in pursuance of a resolution of either House of Parliament, make such further adaptations in any Act of the Parliament of the United Kingdom passed before this Act, or in any instrument having effect under any such Act, as appear to Her necessary in consequence of section 1 of this Act ; and any Order in Council made under this subsection may be varied or revoked by a subsequent Order in Council so made, and may, if made after the appointed day, be made so as to take effect on the appointed day.

(5) Subsection (4) of this section, Schedule 2 to this Act and any Order in Council made under the said subsection (4) shall not extend to Kenya, or any part of Kenya, as part of the law thereof.

5.—(1) Any scheme under section 1 of the Colonial Development and Welfare Act 1959 made with respect to the East African Common Services Organisation shall cease to have effect on the appointed day, without prejudice to the making of payments in pursuance of the scheme on or after that day in respect of any period falling before that day.

(2) No loan under section 2 of the said Act of 1959 shall be made on or after the appointed day to the said Organisation; and section 4(3) of the Tanganyika Independence Act 1961 and section 4 of the Uganda Independence Act 1962 (by virtue of which loans may be made to that Organisation under the said section 2) shall cease to have effect on the appointed day, without prejudice to anything done by virtue of the said sections 4(3) and 4, or either of them, before that day.

(3) In this section "the East African Common Services Organisation" means the organisation established under that name by an agreement made on 9th December 1961 between the Governments of Tanganyika, Kenya and Uganda.

6.—(1) Her Majesty may by Order in Council made before the appointed day confer on the Judicial Committee of the Privy Council such jurisdiction in respect of appeals from any court having jurisdiction under the law of Kenya or any part thereof, and in respect of any proceedings concerning judges of any such court, as appear to Her to be appropriate.

(2) An Order in Council under this section may determine the classes of cases in which, and the conditions as to leave and otherwise subject to which, any such appeal or other proceedings may be entertained by the said Committee, and the practice and procedure to be followed in any such proceedings, and—

(*a*) may confer on the said Committee any of the jurisdiction or powers possessed by any court under the law of Kenya,

(*b*) may require that the decisions of the said Committee in exercise of any jurisdiction conferred under this section shall be enforced in the same way as decisions of any court having jurisdiction under the law of Kenya or any part thereof,

(*c*) may exclude an appeal to Her Majesty in Council, whether as of right or by special leave, in all or any cases, and

(*d*) may contain transitional provisions as respects appeals to Her Majesty in Council and other proceedings which are pending on the appointed day, and may contain such other incidental or supplemental provisions as appear to Her Majesty to be expedient.

(3) Except so far as otherwise provided by an Order in Council under this section, and subject to such modifications as may be so provided, the Judicial Committee Act 1833 shall apply in relation to appeals and other proceedings in respect of which any jurisdiction is conferred under this section as it applies in relation to appeals to Her Majesty in Council.

(4) Provisions made in pursuance of this section may be included in any Order in Council revoking the existing Constitution Order.

(5) So much of any Order in Council as is made under this section may be varied or revoked by a further Order in Council, whether made before or after the appointed day; but any Order in Council made under this section on or after the appointed day shall not extend to Kenya, or any part of Kenya, as part of the law thereof.

7.—(1) On and after the appointed day no court having jurisdiction under the law of Kenya or any part thereof shall, by virtue of the Colonial and Other Territories (Divorce Jurisdiction) Acts 1926 to 1950, have jurisdiction to make a decree for the dissolution of a marriage, or as incidental thereto to make an order as to any matter, unless proceedings for the decree were instituted before the appointed day.

(2) Except as provided by the foregoing subsection, and subject to any provision to the contrary which may be made on or after the appointed day by or under any law made by any legislature established for Kenya or any part thereof, all courts

having jurisdiction under the law of Kenya or any part thereof shall on and after that day have the same jurisdiction under the said Acts as they would have had if this Act had not been passed.

(3) Any rules made on or after the appointed day under section 1(4) of the Indian and Colonial Divorce Jurisdiction Act 1926 for a court having jurisdiction under the law of Kenya or any part thereof shall, instead of being made by the Secretary of State with the concurrence of the Lord Chancellor, be made by such authority as may be determined by the law of Kenya, and so much of the said section 1(4) and of any rules in force thereunder as requires the approval of the Lord Chancellor to the nomination for any purpose of any judges of any such court shall cease to have effect.

(4) The references in subsection (1) of this section to proceedings for the dissolution of a marriage include references to proceedings for such a decree of presumption of death and dissolution of marriage as is authorised by section 16 of the Matrimonial Causes Act 1950.

8.—(1) In this Act " the existing Constitution Order " means the Kenya Order in Council 1963[3] as amended by the Kenya (Amendment) Order in Council 1963[4] ; and references in this Act to Kenya shall be construed in accordance with section 1(3) of this Act.

(2) References in this Act to any enactment are references to that enactment as amended or extended by or under any other enactment.

9. This Act may be cited as the Kenya Independence Act 1963.

SCHEDULE 1

LEGISLATIVE POWERS IN KENYA

1. The Colonial Laws Validity Act 1865 shall not apply to any law made on or after the appointed day by any legislature established for Kenya or any part thereof.

2. No law and no provision of any law made on or after the appointed day by any such legislature shall be void or inoperative

(3) *Statutory Instruments*, 1963 (No. 1968).
(4) *Ibid.* 1963 (No. 1969).

on the ground that it is repugnant to the law of England, or to the provisions of any Act of the Parliament of the United Kingdom, including this Act, or to any order, rule or regulation made under any such Act, and, subject to paragraph 6 of this Schedule, the powers of any such legislature shall include the power to repeal or amend any such Act, order, rule or regulation in so far as it is part of the law of Kenya or any part thereof and in so far as it relates to matters within the legislative powers of that legislature.

3. Any legislature established for Kenya or any part thereof shall have full power to make laws having extra-territorial operation, so far as those laws relate to matters within the legislative powers of that legislature.

4. Without prejudice to the generality of the foregoing provisions of this Schedule, sections 735 and 736 of the Merchant Shipping Act 1894 shall be construed as if references therein to the legislature of a British possession did not include references to any legislature established for Kenya or any part thereof.

5. Without prejudice to the generality of the foregoing provisions of this Schedule, section 4 of the Colonial Courts of Admiralty Act 1890 (which requires certain laws to be reserved for the signification of Her Majesty's pleasure or to contain a suspending clause), and so much of section 7 of that Act as requires the approval of Her Majesty in Council to any rules of court for regulating the practice and procedure of a Colonial Court of Admiralty, shall cease to have effect in Kenya.

6.—(1) Nothing in this Act shall confer on any legislature established for Kenya or any part thereof any power to repeal, amend or modify the constitutional provisions otherwise than in such manner as may be provided for in those provisions.

(2) In this paragraph "the constitutional provisions" means the following, that is to say—

(*a*) this Act;

(*b*) any Order in Council revoking the existing Constitution Order and providing for a new constitution for Kenya to come into effect on the appointed day;

(*c*) any law, or instrument made under a law, of any legislature established for Kenya or any part thereof which, being a law or instrument made on or after the appointed day, amends, modifies, re-enacts with or without amendment or modification, or makes different provision in lieu of, any provisions of this Act, of the Order in Council first mentioned in this sub-paragraph, or of any such law or instrument previously made.

SCHEDULE 2

AMENDMENTS NOT AFFECTING THE LAW OF KENYA

Diplomatic immunities

1. In section 461 of the Income Tax Act 1952 (which relates to exemption from income tax in the case of certain Commonwealth representatives and their staffs)—

(*a*) in subsection (2), before the words "for any state" there shall be inserted the words "or Kenya";

(*b*) in subsection (3), before the words "and 'Agent-General'" there shall be inserted the words "or Kenya".

2. In section 1(6) of the Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act 1952, before the words "and the Republic of Ireland" there shall be inserted the word "Kenya".

3. In section 1(5) of the Diplomatic Immunities (Conferences with Commonwealth Countries and Republic of Ireland) Act 1961, before the words "and the Republic of Ireland" there shall be inserted the word "Kenya".

Financial

4. In section 2(4) of the Import Duties Act 1958, before the words "together with" there shall be inserted the word "Kenya".

Visiting forces

5. In the Visiting Forces (British Commonwealth) Act 1933, section 4 (which deals with attachment and mutual powers of command) shall apply in relation to forces raised in Kenya as it applies in relation to forces raised in Dominions within the meaning of the Statute of Westminster 1931.

6. In the Visiting Forces Act 1952—

(*a*) in section 1(1)(*a*) (which specifies the countries to which that Act applies) at the end there shall be added the words "Kenya, or";

(*b*) in section 10(1)(*a*) the expression "colony" shall not include Kenya or any part thereof;

and, until express provision with respect to Kenya is made by Order in Council under section 8 of that Act (which relates to the application to visiting forces of law relating to home forces), any such Order for the time being in force shall be deemed to apply to visiting forces of Kenya.

Ships and aircraft

7. In section 427(2) of the Merchant Shipping Act 1894, as substituted by section 2 of the Merchant Shipping (Safety Convention) Act 1949, before the words "or in any" there shall be inserted the words "or Kenya".

8. In the proviso to section 6(2) of the Merchant Shipping Act 1948, at the end there shall be added the words "or Kenya".

9. In the definition of "excepted ship or aircraft" in paragraph 3 of Schedule 3 to the Emergency Laws (Repeal) Act 1959, before the words "or in any" there shall be inserted the words "or Kenya".

10. The Ships and Aircraft (Transfer Restriction) Act 1939 shall not apply to any ship by reason only of its being registered in, or licensed under the law of, Kenya or any part thereof; and the penal provisions of that Act shall not apply to persons in Kenya (but without prejudice to the operation with respect to any ship to which that Act does apply of the provisions thereof relating to the forfeiture of ships).

11. In the Whaling Industry (Regulation) Act 1934, the expression "British ship to which this Act applies" shall not include a British ship registered in Kenya.

12. In section 2(7)(*b*) of the Civil Aviation (Licensing) Act 1960, the expression "colony" shall not include Kenya or any part thereof.

Commonwealth Institute

13. In section 8(2) of the Imperial Institute Act 1925, as amended by the Commonwealth Institute Act 1958 (which relates to the power to vary the provisions of the said Act of 1925 if an agreement for the purpose is made with the governments of certain territories which for the time being are contributing towards the expenses of the Commonwealth Institute) at the end there shall be added the words "and Kenya".

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Judicial Committee Act 1833	3 & 4 Will. 4. c. 41.
Colonial Laws Validity Act 1865	28 & 29 Vict. c. 63.
Interpretation Act 1889	52 & 53 Vict. c. 63.
Colonial Courts of Admiralty Act 1890 (5) ...	53 & 54 Vict. c. 27.
Merchant Shipping Act 1894 (6)	57 & 58 Vict. c. 60.
Imperial Institute Act 1925	15 & 16 Geo. 5. c. xvii.
Indian and Colonial Divorce Jurisdiction Act 1926	16 & 17 Geo. 5. c. 40.
Statute of Westminster 1931 (7)	22 & 23 Geo. 5. c. 4.
Visiting Forces (British Commonwealth) Act 1933	23 & 24 Geo. 5. c. 6.
Whaling Industry (Regulation) Act 1934 ...	24 & 25 Geo. 5. c. 49.
Ships and Aircraft (Transfer Restriction) Act 1939	2 & 3 Geo. 6. c. 70.
Merchant Shipping Act 1948	11 & 12 Geo. 6. c. 44.
British Nationality Act 1948 (8)	11 & 12 Geo. 6. c. 56.

(5) Vol. 82, page 672.
(6) Vol. 86, page 633.
(7) Vol. 134, page 167.
(8) Vol. 150, page 480.

Short Title	Session and Chapter
Merchant Shipping (Safety Convention) Act 1949 (9).	12, 13 & 14 Geo. 6. c. 43.
Matrimonial Causes Act 1950	14 Geo. 6. c. 25.
Income Tax Act 1952	15 & 16 Geo. 6. and 1 Eliz. 2. c. 10.
Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act 1952 (10).	15 & 16 Geo. 6. and 1 Eliz. 2. c. 18.
Visiting Forces Act 1952	15 & 16 Geo. 6. and 1 Eliz. 2. c. 67.
Army Act 1955	3 & 4 Eliz. 2. c. 18.
Air Force Act 1955	3 & 4 Eliz. 2. c. 19.
Naval Discipline Act 1957...	5 & 6 Eliz. 2. c. 53.
Import Duties Act 1958	6 & 7 Eliz. 2. c. 6.
British Nationality Act 1958 (11)	6 & 7 Eliz. 2. c. 10.
Commonwealth Institute Act 1958	6 & 7 Eliz. 2. c. 16.
Emergency Laws (Repeal) Act 1959	7 & 8 Eliz. 2. c. 19.
Colonial Development and Welfare Act 1959 ...	7 & 8 Eliz. 2. c. 71.
Civil Aviation (Licensing) Act 1960	8 & 9 Eliz. 2. c. 38.
Army and Air Force Act 1961	9 & 10 Eliz. 2. c. 52.
Tanganyika Independence Act 1961	10 & 11 Eliz. 2. c. 1.
Diplomatic Immunities (Conferences with Commonwealth Countries and Republic of Ireland) Act 1961.	9 & 10 Eliz. 2. c. 11.
Uganda Independence Act 1962	10 & 11 Eliz. 2. c. 57.

(9) Vol. 149, page 434.
(10) Vol. 159, page 35.
(11) Page 1.

[NOTE.—The following Acts of Parliament to make provision for independent status within the Commonwealth also received the Royal Assent during 1963 and 1964:

Subject	*Date of Assent*	*Reference*
Gambia	17th December, 1964	Eliz. 2. Ch. 93
Malawi(12)	10th June, 1964	Eliz. 2. Ch. 46
Malta	31st June, 1964	Eliz. 2. Ch. 86
Zambia(13)	31st July, 1964	Eliz. 2. Ch. 65
Zanzibar(14)	3rd December, 1963	Eliz. 2. Ch. 55]

(12) Formerly Nyasaland.
(13) Formerly Northern Rhodesia.
(14) In April 1964 Tanganyika and Zanzibar combined to form the United Republic of Tanganyika and Zanzibar. The United Republic was renamed Tanzania in October 1964.

ACT OF PARLIAMENT to make provision as to the operation of the law in relation to Nigeria as a Republic within the Commonwealth

[Eliz. 2. Ch. 57] [18th December 1963]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Subject to this Act, all law which, whether being a rule of law or a provision of an Act of Parliament or of any other enactment or instrument whatsoever, was in force on 1st October 1963, or, having been passed or made before that day, comes or has come into force thereafter, shall, unless and until provision to the contrary is made by Parliament or some other authority having power in that behalf, have the same operation in relation to Nigeria, and persons and things belonging to or connected with Nigeria, as it would have apart from this subsection if Nigeria had not become a Republic.

(2) This section applies to law of or of any part of the United Kingdom, the Channel Islands and the Isle of Man and, in relation only to any enactment of the Parliament of the United Kingdom or any Order in Council made by virtue of any such enactment whereby any such enactment applies in relation to Nigeria, to law of any other country or territory to which that enactment or Order extends.

(3) Nothing in this section shall be construed as enabling Her Majesty to entertain any appeal from a court or judge in Nigeria, other than an appeal from a decision given before 1st October 1963 in respect of which the Judicial Committee of the Privy Council have jurisdiction according to the law of the Republic of Nigeria.

(4) This section shall be deemed to have had effect from 1st October 1963.

2.—(1) Her Majesty may by Order in Council make such adaptations in any Act of Parliament passed before 1st October 1963 as appear to Her necessary or expedient in consequence of Nigeria having become a Republic.

(2) Any Order in Council made under subsection (1) of this section, and any Order in Council or other instrument made

under any other enactment which varies or revokes a previous Order in Council or instrument in consequence of Nigeria having become a Republic, may be made so as to have effect from 1st October 1963.

(3) Any Order in Council under subsection (1) of this section shall be subject to annulment in pursuance of a resolution of either House of Parliament, and may be varied or revoked by a subsequent Order in Council.

3. This Act may be cited as the Nigeria Republic Act 1963.

AGREEMENT between the United Kingdom, the Federation of Malaya, North Borneo, Sarawak and Singapore concerning the establishment of the Federation of Malaysia.—London, 9th July 1963[1]

The United Kingdom of Great Britain and Northern Ireland, the Federation of Malaya, North Borneo, Sarawak and Singapore ;

Desiring to conclude an agreement relating to Malaysia ;

Agree as follows:

ARTICLE I

The Colonies of North Borneo and Sarawak and the State of Singapore shall be federated with the existing States of the Federation of Malaya as the States of Sabah, Sarawak and Singapore in accordance with the constitutional instruments annexed to this Agreement[2] and the Federation shall thereafter be called " Malaysia ".

ARTICLE II

The Government of the Federation of Malaya will take such steps as may be appropriate and available to them to secure the enactment by the Parliament of the Federation of Malaya of an Act in the form set out in Annex A to this Agreement and that it is brought into operation on 31st August 1963 (and the date on which the said Act is brought into operation is hereinafter referred to as Malaysia Day).

(1) *See* Cmnd. 2094, page 1.
(2) Annexes not reproduced here.

ARTICLE III

The Government of the United Kingdom will submit to Her Britannic Majesty before Malaysia Day Orders in Council for the purpose of giving the force of law to the Constitutions of Sabah, Sarawak and Singapore as States of Malaysia which are set out in Annexes B, C and D to this Agreement.

ARTICLE IV

The Government of the United Kingdom will take such steps as may be appropriate and available to them to secure the enactment by the Parliament of the United Kingdom of an Act providing for the relinquishment, as from Malaysia Day, of Her Britannic Majesty's sovereignty and jurisdiction in respect of North Borneo, Sarawak and Singapore so that the said sovereignty and jurisdiction shall on such relinquishment vest in accordance with this Agreement and the constitutional instruments annexed to this Agreement(3).

ARTICLE V

The Government of the Federation of Malaya will take such steps as may be appropriate and available to them to secure the enactment before Malaysia Day by the Parliament of the Federation of Malaya of an Act in the form set out in Annex E to this Agreement for the purpose of extending and adapting the Immigration Ordinance, 1959, of the Federation of Malaya to Malaysia and of making additional provision with respect to entry into the States of Sabah and Sarawak; and the other provisions of this Agreement shall be conditional upon the enactment of the said Act.

ARTICLE VI

The Agreement on External Defence and Mutual Assistance between the Government of the United Kingdom and the Government of the Federation of Malaya of 12th October 1957,(4) and its annexes shall apply to all territories of Malaysia, and any reference in that Agreement to the Federation of Malaya shall be deemed to apply to Malaysia, subject to the proviso that the Government of Malaysia will afford to the Government of the United Kingdom the right to continue to maintain the bases and other facilities at present

(3) The Malaysia Act was assented to on 31st July, 1963 (Eliz. 2. Ch. 35)
(4) Vol. 163, page 49.

occupied by their Service authorities within the State of Singapore and will permit the Government of the United Kingdom to make such use of these bases and facilities as that Government may consider necessary for the purpose of assisting in the defence of Malaysia, and for Commonwealth defence and for the preservation of peace in South-East Asia. The application of the said Agreement shall be subject to the provisions of Annex F to this Agreement (relating primarily to Service lands in Singapore).

ARTICLE VII

(1) The Federation of Malaya agrees that Her Britannic Majesty may make before Malaysia Day Orders in Council in the form set out in Annex G to this Agreement for the purpose of making provision for the payment of compensation and retirement benefits to certain overseas officers serving, immediately before Malaysia Day, in the public service of the Colony of North Borneo or the Colony of Sarawak.

(2) On or as soon as practicable after Malaysia Day, Public Officers' Agreements in the forms set out in Annexes H and I of this Agreement shall be signed on behalf of the Government of the United Kingdom and the Government of Malaysia ; and the Government of Malaysia shall obtain the concurrence of the Government of the State of Sabah, Sarawak or Singapore, as the case may require, to the signature of the Agreement by the Government of Malaysia so far as its terms may affect the responsibilities or interests of the Government of the State.

ARTICLE VIII

The Governments of the Federation of Malaya, North Borneo and Sarawak will take such legislative, executive or other action as may be required to implement the assurances, undertakings and recommendations contained in Chapter 3 of, and Annexes A and B to, the Report of the Inter-Governmental Committee signed on 27th February 1963, in so far as they are not implemented by express provision of the Constitution of Malaysia.

ARTICLE IX

The provisions of Annex J to this Agreement relating to Common Market and financial arrangements shall constitute an Agreement between the Government of the Federation of Malaya and the Government of Singapore.

ARTICLE X

The Governments of the Federation of Malaya and of Singapore will take such legislative, executive or other action as may be required to implement the arrangements with respect to broadcasting and television set out in Annex K to this Agreement in so far as they are not implemented by express provision of the Constitution of Malaysia.

ARTICLE XI

This Agreement shall be signed in the English and Malay languages except that the Annexes shall be in the English language only. In case of doubt the English text of the Agreement shall prevail.

In witness whereof the undersigned, being duly authorised thereto, have signed this Agreement.

Done at London this 9th day of July 1963, in five copies of which one shall be deposited with each of the Parties.

[Signed on behalf of the countries named in the preamble.]

WITHDRAWAL

Singapore 9th August 1965

EXCHANGE OF NOTES between the United Kingdom and France amending the Protocol concerning the New Hebrides of August 6, 1914.—London, 17th April, 1963[1]

(No. 1)—*Her Majesty's Principal Secretary of State for Foreign Affairs to the Ambassador of the French Republic*

Foreign Office, S.W.1.
17th April, 1963.

Your Excellency,

Following recent discussions between representatives of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic concerning the modification of the present liquor control policy in the New Hebrides, I have the honour to propose that, pending the entry into force of a revised Protocol, Articles 59, 60 and 61 of the Anglo-French Protocol concerning the New Hebrides of the 6th of August 1914[2] shall be amended to read as follows:

ARTICLE 59

Alcoholic Liquor

"The High Commissioners may jointly enact Regulations, which may prescribe the penalties provided for in Article 7 of the present Convention, for the purpose of regulating within the New Hebrides the importation, manufacture, sale, supply, consumption and transport of all alcoholic liquors and substances."

ARTICLE 60

Report of Offences

"1. Breaches of the provisions of Article 57 respecting the prohibition of the supply of arms and ammunition to the natives, and of the regulations for carrying that Article into effect, shall be reported by the officers and agents of the police force, duly authorised for this purpose by the High Commissioners or Resident Commissioners jointly.

(1) Treaty Series No. 40 (1963) (Cmnd. 2054).
(2) Vol. 114, page 212.

2. The official report drawn up in accordance with paragraph 1 shall be *prima facie* evidence before the competent authority of the facts contained therein.

3. Any officer or agent of the police force, duly authorised for this purpose, who finds a native in possession of a prohibited weapon shall arrest him and, after enquiry into the circumstances of the offence, shall draw up an official report for the information of the High Commissioners or Resident Commissioners.

If the offence is proved, the native shall be punished by the Resident Commissioner having authority over the member of the police force making the arrest or by the person appointed for the purpose, and the non-native suspected of complicity shall be prosecuted before the Court of First Instance.

Nevertheless, a native found in possession of a prohibited weapon during a term of engagement shall only be punished by the Resident Commissioner of the Power of which the employer is a dependent, after enquiry made by an officer or agent of the police force of that Power.

4. Members of the police force shall not enter the house or premises of a non-native without his consent, except as provided by the rules of procedure issued by the Joint Court, or the regulations issued by the authority having jurisdiction over him.

Search-warrants, when considered necessary in the case of a non-native, shall be issued by the Judge of the country of which such non-native is a dependent."

ARTICLE 61

Penalties

" 1. Any breach by non-natives of Articles 57 and 60 shall be punishable by the infliction of one or more of the following penalties :

(*a*) Imprisonment not exceeding five years ;

(*b*) Fine not exceeding £ Sterling 500 or its equivalent in francs at the current rate of exchange ;

(*c*) Confiscation of moveable property (including ships not exceeding 500 tons burden) involved in the offence committed ;

(*d*) Prohibition of entry or residence in certain parts of the territory.

2. The Court shall inflict the penalties, and may further order the forfeiture of the arms and ammunition, and shall decide as to their disposal or destruction."

If the foregoing proposal is acceptable to the Government of the French Republic, I have the honour to suggest that the present Note and Your Excellency's reply in that sense should be regarded as formally recording the agreement of the two Governments to amend the said Protocol of the 6th of August, 1914, accordingly, with immediate effect.

I have, &c.,

FREDERICK A. WARNER.

(No. 2)—*The Ambassador of the French Republic to Her Majesty's Principal Secretary of State for Foreign Affairs*

(Translation)

London, 17th April, 1963.

Your Excellency,

I have the honour to acknowledge receipt of your Note of to-day's date which reads as follows :

[As in No. 1]

In reply I have the honour to inform you that the above-mentioned proposal is acceptable to the French Government who therefore agree with your suggestion that Your Excellency's Note and this reply should be regarded as formally recording the agreement of the two Governments to amend the said Protocol of the 6th of August, 1914, accordingly, with immediate effect.

I avail, &c.,

G. DE COURCEL.

Exchange of Notes between the United Kingdom and Libya postponing the Review of the Treaty of Friendship and Alliance, the Military Agreement and the Financial Agreement of 1953.—Tripoli, 7th February, 1963[1]

(No. 1)—*Her Majesty's Ambassador at Tripoli to the Libyan Minister for Foreign Affairs*

British Embassy in Libya,
7th February, 1963.

Your Excellency,

I have the honour, on instructions from Her Majesty's Principal Secretary of State for Foreign Affairs, to confirm that the Government of the United Kingdom of Great Britain and Northern Ireland have agreed with the Libyan Government that the review of the Treaty of Friendship and Alliance, the Military Agreement and the Financial Agreement, signed on 29th July, 1953, between the United Kingdom and Libya[2], which was due to take place in 1963, should be postponed until 1965.

If the foregoing is acceptable to the Libyan Government, I have the honour to propose that the present Note and Your Excellency's reply in that sense shall constitute an agreement between the two Governments in this matter.

I avail, &c.

A. C. STEWART.

(No. 2)—*The Libyan Minister for Foreign Affairs to Her Majesty's Ambassador at Tripoli*

(Translation)

7th February, 1963.

Your Excellency,

I have the honour to acknowledge receipt of Your Excellency's Note of today's date which reads as follows:

[As in No. 1]

(1) Treaty Series No. 83 (1963) (Cmnd. 2221).
(2) Vol. 160, pages 313, 315, 335.

In reply I have to inform Your Excellency that the foregoing proposal is acceptable to the Government of Libya and that your Note, together with the present reply, shall constitute an agreement between the two Governments in this matter.

Accept, &c.

WANIS GADDAFI.

EXCHANGE OF NOTES between the United Kingdom, acting on its own behalf and on behalf of the Federation of Rhodesia and Nyasaland, and Portugal concerning the Nyasaland–Mozambique Boundary Agreement of 1954.—Lisbon, 29th November, 1963[1]

(No. 1)—*Her Majesty's Ambassador at Lisbon to the Portuguese Minister for Foreign Affairs*

Lisbon, 29th November, 1963.

Monsieur le Ministre,

I have the honour to refer to the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland, acting on their own behalf and on behalf of the Government of the Federation of Rhodesia and Nyasaland, and the Government of the Portuguese Republic regarding the Nyasaland–Mozambique frontier, which was signed in Lisbon on the 18th of November, 1954, and to the Exchange of Notes of that date[2] between the two Governments in which it was agreed that the Anglo-Portuguese Commission appointed in accordance with the Exchange of Notes of the 26th of June, 1950[3], should be instructed to redemarcate certain sections of the boundary lines between the two territories. As Your Excellency is aware, the Joint Commission completed the task entrusted to it and issued its report on the 27th of August, 1956. A copy of the report is annexed hereto[4].

(1) Treaty Series No. 5 (1965) (Cmnd. 2501).
(2) Vol. 161, page 173. For amended text *see* Treaty Series No. 64 (1962) (Cmnd. 1866).
(3) Not published.
(4) Not reproduced here.

I am to confirm that the report of the Joint Commission is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Federation of Rhodesia and Nyasaland and to suggest that if it is equally acceptable to the Government of the Portuguese Republic, Appendix B to the report, which describes the position of the permanent beacons demarcating those sections of the boundary line referred to in the Exchange of Notes of the 18th of November, 1954, shall, in accordance with the terms of that Exchange of Notes, be regarded as constituting an Annex to the Agreement of the 18th of November, 1954.

I have, &c.

A. D. M. ROSS.

(No. 2)—*The Portuguese Minister for Foreign Affairs to Her Majesty's Ambassador at Lisbon*

(Translation)

Lisbon, 29th November, 1963.

Your Excellency,

I have the honour to acknowledge the reception of Your Excellency's Note No. 1081/63 of the 29th of November, 1963, the translation of which is as follows:

[As in No. 1]

2. I have to inform Your Excellency that the report of the Joint Commission, a copy of which is annexed hereto, is acceptable to the Portuguese Government, who therefore agree that Appendix B to that report, which describes the position of the permanent beacons demarcating those sections of the boundary line referred to in the Exchange of Notes of the 18th of November, 1954, shall, in accordance with the terms of that Exchange of Notes, be regarded as constituting an Annex to the Agreement of the 18th of November, 1954.

I present to Your Excellency Mr. Ambassador the assurances of my highest consideration.

A. FRANCO NOGUEIRA.

COMMUNIQUE on the Agreement between the United Kingdom and the Soviet Union on Relations in the Scientific, Technological, Educational and Cultural Spheres.—London, 21st January, 1963[1]

Negotiations took place in London between the Delegations of the United Kingdom and the Soviet Union from January 16 to January 21, 1963.

The negotiations were conducted in a spirit of mutual understanding and provided an opportunity for a broad exchange of views on the development of cultural relations between the two countries.

Having reviewed the results of the fulfilment of the Agreement during 1961 and 1962[2], the Parties noted that the Agreement was being fulfilled on the whole satisfactorily.

As a result of the negotiations a new Agreement was signed between the Governments of the United Kingdom and the Soviet Union.

The Agreement covers the two-year period from April 1, 1963, to March 31, 1965, and provides for the further development of contacts between the two countries in the fields of science, technology, education, the arts, cinema, radio and television. Both Parties will also encourage cultural contacts between non-governmental bodies.

The Agreement was signed on January 21, 1963, by Mr. Peter Thomas, M.P., Joint Parliamentary Under-Secretary for Foreign Affairs, on behalf of the United Kingdom Government, and Mr. S. Romanovsky, Chairman of the State Committee of the Council of Ministers of the Union of Soviet Socialist Republics for Cultural Relations with Foreign Countries, on behalf of the Soviet Government.

The Parties expressed their confidence that the further development of cultural and scientific relations between the two countries will facilitate the consolidation of mutual understanding between the British and Soviet peoples.

(1) *Soviet Union* No. 1 (1963) (Cmnd. 1944).
(2) *See* Vol. 166, page 117.

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EXCHANGE OF NOTES between the United Kingdom and the Soviet Union on the proposed establishment of a multilateral nuclear force within the North Atlantic Treaty Organisation.—8th April/18th May, 1963[1]

(No. 1)—*The Soviet Government to the United Kingdom Government, Moscow, 8th April, 1963*

(Translation)

The Government of the U.S.S.R. considers it necessary to make the following statement to the Government of Great Britain.

For some time members of the North Atlantic Alliance (NATO) have been engaged in working out plans for the creation of unified nuclear forces for this *bloc*.

As is clear from published official statements, it is designed to gather into one striking force, called " multi-national forces ", the nuclear formations of the United States and Great Britain together with corresponding contingents of the Federal Republic of Germany and, possibly, a number of other members of NATO. The creation is further envisaged of special naval and rocket nuclear forces which would be " in multilateral possession and under multilateral control ".

Particular stress is placed upon the creation of naval forces armed with atomic weapons including surface vessels equipped with Polaris rockets and disguised as merchant ships.

In addition, the Government of the United States has declared its intention now, without waiting for the creation of unified NATO nuclear forces, to place American atomic submarines with Polaris rockets in the Mediterranean Sea and other waters which wash the shores of Europe and Asia.

All these plans are tied up with an accelerated increase in conventional armaments, primarily of the Western European countries of NATO, including the small countries. Thus, for decades ahead programmes of armaments are being worked out in NATO in which even details are listed of who is to supply how many nuclear, rocket and other formations to the NATO flag, what funds each country is to expend in addition on preparations for war, etc.

(1) Similar Notes were exchanged between the Soviet Government and the Governments of the Federal Republic of Germany and the United States respectively.

Whatever the final form taken by the plans for creating NATO nuclear forces—whether " multi-national " or " multi-lateral " forces or both—from what has already been made public one thing is absolutely clear: it is a question of the intention of the United States and other NATO Powers to give access to rocket-nuclear weapons to the *Bundeswehr* and the armed forces of other countries, still further to expand the framework of preparations for thermo-nuclear war and to unleash a rocket-nuclear armaments race which knows no State or geographical boundaries.

In the age of rocket-nuclear weapons concern about universal peace is the first commandment of humanity and this lays exceptional responsibility upon the Governments which are in power. To them is directed the unanimous demand of the peoples: to prevent thermo-nuclear war and not to allow it to burst out.

For many years the Soviet Government has been trying to secure acceptance of agreed decisions which would remove the threat of rocket-nuclear war and extinguish the *foci* of possible conflicts. The Soviet Union offers all countries and peoples peace, good-neighbourly collaboration and economic competition. It is ready to proceed consistently and unswervingly to the establishment of relations of confidence and mutual understanding. What reply do the NATO Powers give to the peace-loving policy of the Socialist countries? They counter it with the policy of " cold war ", with policies designed to undermine international collaboration and with the wholesale expansion of rivalry between States in the creation and accumulation of ever more destructive means of carrying on war.

It is necessary only to consider events of the last few weeks to realise how dangerous is the path along which the NATO Powers are pushing the world. Disregarding the will of the peoples and the decision of the General Assembly of the United Nations, the United States and after it France, have renewed the testing of nuclear weapons. The Government of France has concluded an openly militaristic pact with the Federal Republic of Germany(2). The Government of the Federal Republic of Germany for its part has once again demonstrated hereby that the interests of peace and security

(2) *See* page 306.

in Europe are profoundly alien to its policies. During the last few weeks the world has witnessed new hostile actions on the part of the United States against the freedom-loving Republic of Cuba, fresh violations of the principles of the United Nations Charter and of generally accepted norms of international law concerning the freedom of navigation. One after another there follow dangerous provocations by the German militarists in West Berlin.

It is true that the Governments of Great Britain and other NATO countries participate in international talks about the settlement of disputed problems and occasionally vote in the United Nations Organisation for the adoption of constructive decisions. But unfortunately this is far from constituting the main tendency of the policies of the Western Powers.

Facts suggest that the Governments of the Western Powers rely in their strategic calculations not upon the peaceful settlement of the principal problems giving rise to international tension, but upon the achievement of superiority in the armaments race and in the last analysis upon the use of force. The plan of setting up multilateral NATO forces is the present-day expression of the policy " from a position of strength ", of the policy of pressure and dictation, the basic factor in and pivot of which is proclaimed to be nuclear weapons.

It is well know that the previous American Government of Eisenhower not long before leaving the political scene canvassed intensively the idea of converting NATO into a nuclear power. At that time there was much talk to the effect that each of the fifteen members of this *bloc* would be able to keep its finger on the button of rocket-nuclear war. The Government of the United States was virtually proceeding to the dissemination of nuclear weapons within NATO and was already close to satisfying the demands of the Government of the Federal Republic of Germany, which had been insisting on " equality " in nuclear armaments.

At one time it was possible to think that the present Government of the United States realised the dangers connected with implementation of plans for converting NATO into a nuclear power. More than once it gave assurance that it attached exceptional importance to the achievement of agreement on the non-dissemination of nuclear weapons and that the United States in accordance with its national policies would

not transmit nuclear weapons to any country. But neither its own assurances nor the warnings uttered by many States, including a number of NATO countries, about the dangerous consequences of disseminating nuclear weapons have, judging by everything, halted the Government of the United States.

At the meeting between the leaders of the Governments of the United States and Great Britain at Nassau(3) it was decided to set up NATO nuclear forces on almost the same pattern as was being put forward three to four years ago. One can only be amazed at the fact that the Nassau decision which is forcing States to sink deeper into the whirlpool of rocket-nuclear armaments is being exalted by those who adopted it as being almost a service to their own peoples and indeed to the world.

The Governments of Great Britain and of some of their Allies represent the matter as if the principle of non-dissemination of nuclear weapons and the plans for setting up multilateral nuclear forces are mutually compatible. Moreover, one can hear statements from the most highly placed representatives of NATO countries arguing that the plans for the creation of multilateral nuclear forces have themselves been engendered by a striving to remove anxiety about " the unlimited dissemination of nuclear weapons among all States ".

But there can be only two approaches, which are precisely delimited one from another: either to adhere absolutely to the principle of non-dissemination of nuclear weapons and in consequence not to give other States access to them in any form ; or to take the step of passing nuclear weapons to one's Allies, in which case the question of the form of transmission—bilateral or multilateral—is not of importance. To invent some " intermediate " approach is impossible without unleashing a chain reaction with all the dangerous consequences proceeding therefrom. The statesmen of the West are not so naive as to fail to realise this.

It looks as though those people are not far from the truth who see one of the reasons for putting forward plans for multilateral NATO nuclear forces in the United States Government's desire to divert the economic resources of the West European countries even further to the armaments race,

(3) *See* Vol. 166, page 643.

and to compel the West European Allies to disburse a further $5-10 milliard. But however complicated the financial accounting concerning the allocation of funds for the armaments race among the NATO partners, in the final analysis 100 per cent. of the burden of these expenditures falls on the people. If matters came to the worst they would have to pay for the consequences of this race by countless human victims and by towns and villages turned into ashes.

What other justifications are put forward for the plans for establishing multilateral nuclear forces? As an argument which explains and legalises everything the requirements of security are cited in the first place. But quite apart from the fact that nobody is threatening the NATO countries, the creation of multilateral and multinational nuclear forces cannot alter the existing relationship of the forces in the world. So many nuclear arms have been prepared by each side that figuratively speaking there is more than enough to blow the earth up and make the oceans overflow. The transfer by the NATO Powers of part of the nuclear weapons from one arsenal to another, where the generals of the *Bundeswehr* and the military of several other Powers would be in charge, would only greatly increase the danger of a thermo-nuclear conflict arising. New transmission belts of the military machine would be added to the existing ones, and they might start it off.

Can the security of the States who are members of the North Atlantic Pact(4) gain from the fact that some new corporal is in a position to set the third world war alight? Will the peoples of Western Europe feel more secure from the fact that submarines and chameleon ships with nuclear rocket weapons on board are harboured on the coasts of their countries, and that NATO atomic forces of different races are on guard on their territories, and that NATO strategists are preparing to make the whole world the battle field of a new war?

It is clear to every sensible person that with the realisation of the plans of the NATO leaders atomic weapons with their inevitable accompaniment—the danger of war—would spread over our planet like a smudge of oil over water. The extension of the area from which a nuclear attack would be carried

(4) Vol. 154, page 479.

out, naturally, would extend the geographic sphere of retaliatory measures necessary in such cases. Let nobody see this statement of the Soviet Government as a threat. All this is almost a transparent truth, a simple statement of what can already today be estimated with certainty. The Soviet Government considers it its duty to come out in this connexion with a warning.

In case of a conflict the laws of modern war demand that all weapons be used in order immediately to crush the aggressor and, in particular, to put out of action fixed and mobile bases which are aimed at the vital centres of peace-loving States. Ports which are used as anchorages for submarines and surface craft carrying rockets whether in the North Sea, the Mediterranean, the Baltic or other seas will not survive even the first minutes of a war. What consequences this would have for the entire territory of such countries is obvious.

The countries against whom the military preparations of the North Atlantic *bloc* are directed would be compelled permanently to have their retaliatory forces trained also on the busiest sea lanes, where, under the guise of peaceful merchant ships, ships carrying nuclear rockets could be hidden. Incidentally, according to The Hague Convention([5]) even in time of war the arming of a merchant vessel and thereby its conversion into a military vessel may not be carried out in secret. But the staffs of NATO wish to put into practice such treacherous methods already in peace-time. Thus in the plans for a NATO multilateral force the morals of medieval pirates are interwoven with the latest achievements of nuclear rocket technology. If the military craft of NATO began to ply the seas under the cover of commercial flags this would in practice be equivalent to an undeclared state of war.

In the West the opinion is expressed that the plans for setting up multilateral nuclear forces are also aimed at exerting pressure on the French Government, whose position in many military and economic questions does not coincide with the position of the Powers who decide policy in NATO. The Soviet Government does not propose to enter into the question on what basis the mutual relations between members of the North Atlantic *bloc* are built. But it cannot overlook the fact that inside NATO the Government of the United

([5]) Vol. 100, page 377.

States, on the one hand, and the Government of France, on the other, although for motives which do not completely coincide, are flirting with West German militarism and, in order to enlist its support, connive at the most aggressive desires of the leading circles of the Federal Republic of Germany. But these circles are only hoping that, as a result, they will succeed in unlocking either the French or American gates to atomic armament, or both at the same time.

The plans for the establishment of multilateral forces, in fact, have been thought up with the aim of satisfying the ever-growing demands of the Federal Republic of Germany. At the price of yielding to militarist and *revanchist* circles of the Federal Republic of Germany the Governments of the United States and Great Britain are trying to solve the contradictions inside NATO.

Usually, as soon as the Soviet Union draws attention to the dangers of encouraging militarism in the Federal Republic of Germany, in the West they hurriedly defend themselves by saying that the Soviet warnings are dictated by excessive suspicion towards West Germans. It would be difficult to find anything further from the truth than such assertions. The Soviet Union is governed in its policy by real facts and only by facts.

A reconsideration of the results of the second world war and a revision of the existing German boundaries, frantic enmity towards the Socialist German State, the German Democratic Republic, such are the officially proclaimed trends of the Federal Republic of Germany's foreign policy. This is a policy of *revanche,* a policy of war. It is from here also that the aspiration comes for equality with the other NATO Powers in the field of armaments and above all in atomic armaments.

Can the Government of Great Britain be ignorant of this? Or has it some other explanation for the fact that it is precisely the Federal Republic of Germany which meets with enthusiasm any plan for the distribution of atomic weapons inside NATO?

The Government of the Federal Republic of Germany voted with both hands for former plans to switch the forces of the North Atlantic *bloc* to nuclear rocket weapons. It was the

first to sing the praises of the Nassau Agreement, and it is now urging the Governments of the United States and Great Britain to extend " multilateral " atomic weapons inside NATO and their establishment not only at sea but on dry land. The Government of the Federal Republic of Germany has expressed its readiness to provide German crews for the Polaris craft carrying nuclear rockets, and to include immediately in the nuclear forces units of *Bundeswehr* aircraft capable of carrying atomic weapons. Reports have appeared in the foreign Press that the United States and the Federal Republic of Germany are reaching an agreement now about the use of West German ports in the Baltic and North Sea as bases for American atomic submarines.

The Government of the Federal Republic of Germany has stated that it can take upon itself a third of all the expenses connected with the establishment of multilateral nuclear forces. In addition, according to the published statements, it is insisting that the voting power of each participant country in deciding questions concerning nuclear armaments should be determined by the size of its financial contributions to the multilateral forces of NATO. And this demand is evidently meeting sympathy in influential quarters in the United States and among other members of NATO. So, just as with a joint stock company, decisions will be determined by the size of the capital of the stockholders. But it will not be ways of struggling with commercial competitors which will be put to the vote, but questions of war and peace, and the dividends will not be expressed in dollars, pounds or marks but in millions of human victims. The rivets have not yet been fixed in the bodies of the rocket-carrying craft of NATO, but the West German military is already stretching out its paw to the trigger of the NATO nuclear machine, squeezing out those who have smaller purses and a less adventurous spirit.

The Western Powers, giving way step by step to the demands of the Federal Republic of Germany each time represent the matter as though it is the last concession. After the creation of the Federal Republic of Germany the Governments of the United States, Great Britain and France had us believe that this, their offspring, would not have an army at all and would be given only police formations. But as little as two years

later there appeared a plan for the creation of a "European army", in which was to be included a Western German contingent of half a million men. At that time a lot of words were expended in the West in order to prove that the object of this plan was to control the armament of Western Germany and to prevent the creation of independent armed forces of the Federal Republic of Germany.

The same motives were advanced also at the signing of the Paris agreements in 1954(6) opening the way for the entry of the Federal Republic of Germany into NATO. In Parliaments and from the rostrums of internatoinal conferences the Paris agreements were depicted as a guarantee that the arming of Western Germany would be kept within strict limits and that the *Bundeswehr* would not receive many types of conventional weapons, not to mention means of massive annihilation.

And what has happened in reality? Today under the command of former generals of Hitler, there is a 400,000 man *Bundeswehr*. Plans are being worked out for raising this number to 750,000. Relying on its growing military strength, the Federal Republic of Germany is gaining one position in NATO after another. The limitations on the construction of naval vessels, heavy types of armament, and a number of categories of missiles were forgotten long ago. Now, advancing plans for NATO multilateral nuclear forces the Western Powers are ready to permit the Federal Republic of Germany to by-pass the last obstacles on the road to actual possession of nuclear weapons.

Thus, having begun 13 years ago with a police formation, the Government of the Federal Republic of Germany is now knocking loudly on the doors of the atomic club. "We want", stated Chancellor Adenauer on the 6th of February of this year in the *Bundestag*, "to bear full responsibility together with others for effective NATO nuclear deterrent forces". More than 100 member States of the United Nations do not have nuclear weapons and nevertheless do not regard this as a deficiency in their sovereign rights. But here in the Federal Republic of Germany possession of nuclear weapons is made out to be a criterion of their sovereignty.

(6) Vol. 161, page 433.

It is apparent that a concession to the militarist forces carries within itself further concessions and, of course, nobody guarantees that the present plan for NATO nuclear forces will be the last "yes" uttered in response to the demands of the most adventurist-minded circles of Western Germany. In many ways this affair recalls the pre-history of the second world war, when for the sake of appeasing Hitlerite Germany those who at that time were at the helm of the policy of the Western Powers sacrificed the security and freedom of one country after another. As a result of this, the requirements of the German militarists merely grew and the catastrophe of the second world war drew even closer. As a result of the planned expansion of the circle of nuclear powers in NATO and the facility of access by the Federal Republic of Germany to nuclear weapons, the chances of the victory of reason in international affairs can be considered significantly undermined. It is impossible to hope for a good outcome if one imparts even greater momentum to the arms race, and infinitely diversifies its forms; such a development pushes humanity to a fateful point.

The Governments of the Western Powers maintain that they agree with the idea of general and complete disarmament and are ready to seek ways towards an international agreement on disarmament. The Western Powers protest when the peace-loving States charge the countries of NATO with using the disarmament talks as a screen to conceal the arms race. But how otherwise can one evaluate the Western Powers' position if, putting one hand on the brakes, they do not allow any progress in the Committee of 18 Nations at Geneva and, with the other hand, make plans for NATO nuclear forces, the implementation of which would mean wiping out in advance for at least 10 years negotiations on disarmament. The purpose of this policy is obviously to gain time and to present as a fact to the peace-loving States the realization of NATO plans for the dissemination of nuclear weapons.

If the United States and Great Britain and France were to take the path of disseminating nuclear weapons, then the Soviet Government, it goes without saying, would be compelled to draw the necessary conclusions and, in the light of the new situation, to take those measures which would ensure the maintenance at an appropriate level of the security of the Soviet Union, its friends and Allies. The Soviet Government is sure

that such defensive actions would be understood by all States and peoples to whom peace is dear.

British representatives depict the matter as if the alternative to multi-national and multilateral nuclear forces in NATO would be the creation by the Federal Republic of Germany of their own nuclear potential. Does this mean that Great Britain and her Allies are not now in a position to control the source of the armament of the Federal Republic of Germany and to resist the pressure and blackmail coming from this country? If so, it is logical to conclude that, after they have got nuclear weapons, the militaristic circles of the Federal Republic of Germany will take NATO even less into account.

The true alternative to the atomic armament of the Federal Republic of Germany and all forms of nuclear dissemination is totally different. It is complete and general disarmament under strict international control, the banning of nuclear weapons and removal of them from national armaments together with the destruction of stored reserves; the liquidation of foreign military bases; a halt for ever to all types of experimental nuclear explosions. It is the removal by agreement of all sides of the remnants of the second world war and the conclusion of a German peace treaty with the normalization on this basis of the situation in Western Berlin.

It is the adoption of measures for relaxing international tension and strengthening confidence between States, and of such measures the first one should be the conclusion of a non-aggression pact between members of NATO and the Warsaw Pact. The implementation of each of these proposals and still more of all of them together, would strengthen the basis of peace on earth.

The Soviet Government urges the British Government also to assist in the regulation of the above-mentioned problems and by their combined efforts to stop the nuclear missile arms race. The Soviet Union is in favour of settling at the conference table questions which have come to prominence through the development of international relations.

The Soviet Government would like to hope that the British Government will pay all due attention to the considerations set out in this Note.

(No. 2)—*The United Kingdom Government to the Soviet Government, 18th May, 1963*

Her Majesty's Government reject the series of groundless charges made against the proposed measures for the creation of a NATO Nuclear Force, which is intended solely to improve the legitimate defensive posture of the Western Alliance. Far from increasing the risk of war, these measures of collective security will powerfully reinforce peace and stability.

2. In accordance with the Resolution adopted on December 4, 1961 by the General Assembly of the United Nations(7), Her Majesty's Government are steadfastly opposed to the spread of nuclear weapons to the ownership of individual nations. No one of sane mind wants to see a multiplication of national nuclear forces. The NATO Nuclear Force would be fully consistent with the objective of preventing the development of new national nuclear weapons programmes. The organisation of such a force would tend to prevent, rather than encourage, the proliferation of independent nuclear capabilities. It would be subject to the same safeguards as other NATO nuclear forces to prevent its use in an unauthorised or accidental manner.

3. What has been proposed is that there should first be created an interallied force composed of existing weapons. Subsequently, it is proposed that a mixed-manned force should be created. This mixed-manned element would be multilaterally owned, manned and controlled and not at the disposal of any one government. These proposals will not constitute in any sense a move towards proliferation of national nuclear forces.

4. The Soviet Note contains the fantastic allegation that the surface vessels in the proposed force will be " chameleons " operating " under the cover of commercial flags ". Her Majesty's Government wish to make it plain that it is not proposed that any attempt would be made to represent these vessels as merchant ships. They would be warships in fact, in name, and in law. Their mission would be not piracy but peace.

(7) U.N. General Assembly Resolution 1665 (XVI).

5. In their Note the Soviet Government take occasion to complain of NATO's defensive planning in Europe. The Soviet Government claim that nobody is threatening NATO and surprise is expressed that the countries of the West should think it necessary to undertake the trouble and expense of establishing a special nuclear force for their defence. The immediate reason is not far to seek. The Soviet Government have, for several years, proclaimed that they were targetting nuclear weapons on Western Europe, whose countries, it is alleged, could be completely destroyed by a Soviet attack. Indeed, Her Majesty's Government are aware that deployed in the Soviet Union are more than 700 medium and intermediate range nuclear missiles, the bulk of which are ranged against the United Kingdom and her continental allies. The 20 Soviet divisions in the Soviet zone of Germany are maintained at a high state of readiness. There is a total of about 100 Soviet line divisions in Western areas of the U.S.S.R. and Eastern Europe. These troops are supported with large numbers of tactical nuclear missiles and bombers. The United Kingdom cannot therefore accept the implication that countries within striking reach of Soviet forces should be denied the right to join in the operation and control of forces of their own. It is unacceptable that the Soviet Union should regard itself as privileged to deploy nuclear weapons in positions which threaten the cities of Western Europe, while at the same time maintaining that reciprocal measures of defence cannot properly be taken by the members of NATO.

6. The situation in which powerful forces oppose each other across the face of Europe, and the burden of expenditure on armaments is so heavy on both sides of the Iron Curtain, is deplorable. But it is a situation of the Soviet Union's own choosing. NATO came into being in 1949 as a free and spontaneous movement among the free countries of Europe, in association with the United States and Canada, to organise their self-defence. Their aim was to ensure that they would avoid the fate of those nations which, in the period before NATO was organised, fell one by one under Soviet domination. Since that time, the countries of Western Europe and NATO

have successfully preserved their freedom and national independence without changing the defensive and unaggressive character of the Alliance.

7. Today, in spite of professions of the Soviet wish for peace, the threats of the Soviet Government against the free peoples of the world continue. According to the Note of April 8, the Soviet Union offers all people peace and collaboration. But the same Note contains threats against the " ports ", " anchorages " and " entire territory " of the allies, and suggests that they will not survive even the first minutes of a war. So long as such threats continue, and pending agreement on general and complete disarmament and the establishment of effective and adequate peace-keeping machinery, the countries of Western Europe have no option but to continue to prepare their own armed defence.

8. Her Majesty's Government note with regret the tone of hostility to the German people in the Soviet Note and reject the unfounded allegations, direct and indirect, which are made against the Federal Republic of Germany. What are the facts? First and foremost the Federal Republic is a free democracy. After the war, it was the policy of Her Majesty's Government and the other Western Powers to work for the development of a unified Germany with democratic institutions which would take an equal place in the community of nations. This policy was from the first frustrated by the Soviet Government, which denied the right of self-determination to the people of Eastern Germany and insisted on imposing on them a Communist régime. The effort of the Western Powers was then directed towards admitting the Federal Republic into the Western alliance as an equal partner with equal rights and obligations. This policy has been triumphantly vindicated and upheld in the Federal Republic by the German people themselves. Throughout the thirteen years of its existence, the Federal Republic of Germany has consistently sought to build and maintain a genuinely democratic state integrated as fully as possible into the political organisations of the free world. Nazism and militarism and the other repugnant ideologies and policies proclaimed by the former régime have been discredited and are rejected by the overwhelming majority of German citizens. The Government of the Federal Republic of Germany have themselves brought to trial and convicted a very large number

of Nazi war criminals since the end of the occupation period. Since the new German armed forces began to be formed in 1956, great attention has been paid by both the Government and Parliament of the Federal Republic to ensuring that these forces should have a democratic character. Parliamentary control over the forces has been firmly established in law; and thorough efforts have been made to train the soldiers as "citizens in uniform".

9. In the field of defence, Germany's defensive dispositions have been made entirely within the framework of NATO and in accordance with the special provisions of Western European Union. Germany does not possess an independent general staff, and all her operational forces are assigned to NATO. The Soviet Union is well aware that under the revised Brussels Treaty of 1954([8]), the Federal Republic as well as the other members of W.E.U., voluntarily accepted a system of international control over armaments. This system, a phenomenon unique in world history, is today an effective reality. Levels of armaments are scrutinised and agreed in NATO and W.E.U. in the light of the firm requirements of Western defence. The Armaments Control Agency of W.E.U. collates a wide range of documentary information and makes practical checks and inspections throughout the Continent. Above all, under the Paris Agreements, the Federal Republic has committed itself voluntarily *vis-à-vis* the other members of W.E.U. to renounce the manufacture of atomic, biological and chemical weapons. Federal leaders have consistently and repeatedly stated the intention of the German Government to abide by this undertaking. The Soviet Government cannot be ignorant of the above basic facts. They were reminded of them as recently as March 29 in the Federal Government's Note on the Treaty of Franco-German Co-operation.

10. The contribution of the Federal Republic to Western defence was not initiated until 1954, i.e. five years after the Soviet Union, by rearming the so-called German Democratic Republic in breach of the Potsdam Agreement of August 2, 1945([9]), had proved that she was pursuing a policy threatening the security of the free countries of the West and in particular the Federal Republic. This contribution is made within the

([8]) Vol. 161, page 433.
([9]) Vol. 145, page 852.

framework of NATO and is designed for the sole purpose of assisting in the defensive effort of the alliance. It is therefore surely inconsistent that the Soviet Union should on the one hand encourage and support the aggressive military preparations of the so-called German Democratic Republic and her other satellites, while denying the free people of the Federal Republic their right, under the United Nations Charter, to join in arrangements for collective self-defence.

11. The truth is that the Soviet Government are fully aware that the role of the German armed forces in NATO is entirely defensive and that the Federal Republic is not planning an aggressive policy. In fact the tension and dangers of Europe do not result from the policies of the freely elected Government of the Federal Republic, but from the refusal of the Soviet Government to grant the German people the fundamental human right of self-determination. The decisive factor which governs the policy of the U.S.S.R. towards the Federal Republic of Germany is the determination of the Soviet Government to strengthen their military and political position in Europe. Throughout 17 years of negotiation, it has proved impossible to arrange for the reunification of Germany. The Soviet Union was only ready to agree to measures which would ensure the consolidation of the Communist régime in the so-called German Democratic Republic. The grim wall stretching across Berlin is the grotesque but unmistakable token of this inhuman and cynical policy.

12. Her Majesty's Government must also dissent from those passages in the Soviet Note devoted to the questions of nuclear testing and general disarmament.

13. To speak of the resumption of testing of nuclear weapons in the last few weeks is a patent distortion of recent history. The real resumption of large scale testing, as all the world knows, dates from September, 1961, when the Soviet Government, which had pledged itself in 1959 not to resume testing if the Western Powers did not do so, proceeded to carry out the largest series of atmospheric tests yet conducted by any country. With this action the Soviet Government destroyed the policy of voluntary abstention which had been observed by the three leading nuclear powers since 1958. It is worth recalling that, even after the series of Soviet tests in 1961,

the United States and United Kingdom Governments repeatedly made it clear to the Soviet Government that their willingness to sign a nuclear test treaty subject to effective international verification was unaffected by the Soviet Government's action. It was only after the Soviet Government had made it clear for all to see that they were indifferent to these offers, that the United States and United Kingdom Governments reluctantly decided that a series of atmospheric tests in the Pacific would have to be carried out. It is worth recalling, too, that the Soviet Government's only response to these Western offers was to declare that if a new series of Western atmospheric tests took place, the Soviet Government would carry out yet another series of its own tests—an undertaking which the Soviet Government duly fulfilled on a massive scale during the Session of the United Nations General Assembly referred to in the Soviet Government's Note.

14. As regards the wider field of general and complete disarmament, the Soviet Government have obstructed all progress in the 18-Nation Conference at Geneva by refusing to show any readiness for real negotiation. Time and again the Western representatives have made constructive proposals, have sought to discover the true content of the Soviet proposals, and to explore the areas of agreement and disagreement. Their suggestions that these matters should be studied in technical papers, or by discussion of experts, have come up against the blank wall of Soviet refusal. Their answer is that until the West accepts their proposals in principle, the Soviet Government will not go into any details. This is the antithesis of negotiation, particularly as the Soviet draft disarmament treaty does not take due account of two fundamental principles, which are embodied in the joint statement of agreed principles for disarmament negotiations([10]), that the process of disarmament should be a balanced one and that there should be adequate verification. Such modifications of the Soviet draft treaty as have been tabled at Geneva, although the indications of new thinking in some of them are welcome, have not been designed to correct the imbalance that exists in the Soviet favour, but to allow a better presentational aspect to the Soviet proposals. For instance, the change permitting the retention of a certain limited number of nuclear delivery missiles by the U.S.S.R.

([10]) Vol. 166, page 535.

and the United States during the first two stages of disarmament, was only introduced after the impossibility of implementing without verification the original Russian proposal for the destruction of all nuclear delivery vehicles during Stage I had been convincingly exposed by the Western delegations. In the same way, the useful and workmanlike United States paper on measures to reduce the risk of war([11]), which would at least relax international tension and might usher in the era of more general disarmament, has been countered by the Soviet proposal for the elimination of foreign nuclear bases which flagrantly ignores the principles of balance and attempts to capitalise the Soviet Union's geographical advantages. Such tactics are designed to obstruct any progress towards disarmament for which the Western Powers continue to work so patiently.

15. For the reasons stated above, Her Majesty's Government find the Soviet Note both self-contradictory and disingenuous. But with certain of the themes of the Note Her Majesty's Government find themselves in agreement. It is emphatically the wish of Her Majesty's Government to offer all countries and peoples peace and good neighbourly collaboration. The British people are also anxious to see an end to the cold war. They also deplore the diversion of the world's economic resources into purely military fields and sympathise with the Soviet people, upon whose backs is laid the heaviest military burden in the world. Finally, Her Majesty's Government proclaim their readiness, with the help of the Soviet Union, to strengthen the true basis of peace on earth, not in words, but in deeds, by supporting any measures of disarmament that the Soviet Government may see fit to propose, provided that these are effective, just and realistic. The United Kingdom and her allies cannot and will not be diverted from taking all steps necessary to safeguard their security. But Her Majesty's Government remain determined to pursue all paths which promise to reduce tensions and to enlarge the prospects of peace.

([11]) Vol. 166, page 866.

TRIPARTITE COMMUNIQUE on the initialling of the Nuclear Test Ban Treaty.—Moscow, 25th July, 1963

The special representatives of the President of the United States of America and of the Prime Minister of the United Kingdom, W. Averell Harriman, Under Secretary of State for Political Affairs of the United States, and Lord Hailsham, Lord President of the Council and Minister of Science for the United Kingdom, visited Moscow together with their advisers on July 14. Mr. Harriman and Lord Hailsham were received by the Chairman of the Council of Ministers of the Union of Soviet Socialist Republics, N. S. Khrushchev, who presided on July 15 at the first of a series of meetings to discuss questions relating to the discontinuance of nuclear tests, and other questions of mutual interest. The discussions were continued from July 16 to July 25 with A. A. Gromyko, Minister for Foreign Affairs of the Union of Soviet Socialist Republics. During these discussions each principal was assisted by his advisers.

The discussions took place in a business-like, cordial atmosphere. Agreement was reached on the text of a Treaty banning Nuclear Weapons Tests in the Atmosphere, in Outer Space and under Water. This text is being published separately and simultaneously with this communiqué. It was initialled on July 25 by A. A. Gromyko, Mr. Harriman and Lord Hailsham. Mr. Harriman and Lord Hailsham together with their advisers will leave Moscow shortly to report and bring back the initialled texts to their respective governments. Signature of the treaty is expected to take place in the near future in Moscow(1).

The heads of the three delegations agreed that the test ban treaty constituted an important first step toward the reduction of international tension and the strengthening of peace, and they look forward to further progress in this direction.

The heads of the three delegations discussed the Soviet proposal relating to a pact of non-aggression between the participants in the North Atlantic Treaty Organisation and the participants in the Warsaw Treaty(2). The three governments

(1) For text of Treaty, which was signed on 5th August, 1963, *see* page 178 below.

(2) Page 182, Document 2.

have agreed fully to inform their respective allies in the two organisations concerning these talks and to consult with them about continuing discussions on this question with the purpose of achieving agreement satisfactory to all participants. A brief exchange of views also took place with regard to other measures, directed at a relaxation of tension.

POLARIS SALES AGREEMENT between the United Kingdom and the United States of America.—Washington, 6th April, 1963[1]

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America, recalling and affirming the Statement on Nuclear Defence Systems included in the joint communiqué issued on December 21, 1962[2] by the Prime Minister of Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland and the President of the United States of America, have agreed as follows:

ARTICLE I

1. The Government of the United States shall provide and the Government of the United Kingdom shall purchase from the Government of the United States Polaris missiles (less warheads), equipment, and supporting services in accordance with the terms and conditions of this Agreement.

2. This Agreement shall be subject to the understandings concerning British submarines equipped with Polaris missiles (referred to in paragraphs 8 and 9 of the Nassau Statement on Nuclear Defence Systems) agreed by the President of the United States and the Prime Minister at their meeting held in the Bahamas between December 18 and 21, 1962.

ARTICLE II

1. In recognition of the complexity of the effort provided for in this Agreement and the need for close coordination between the contracting Governments in giving effect to its terms, the

(1) Treaty Series No. 59 (1963) (Cmnd. 2108). The Agreement entered into force on signature.
(2) Vol. 166, page 643.

two Governments shall promptly establish the organisational machinery provided for in the following paragraphs of this Article.

2. The Department of Defense, acting through the Department of the Navy, and the Admiralty, or such other agency as the Government of the United Kingdom shall designate, will be the Executive Agencies of their respective Governments in carrying out the terms of this Agreement. Appropriate representatives of the Executive Agencies are authorised to enter into such technical arrangements, consistent with this Agreement, as may be necessary.

3. A Project Officer will be designated by each Government's Executive Agency with direct responsibility and authority for the management of the activities of that Government under this Agreement. Each Project Officer will designate liaison representatives, in such numbers as may be agreed, who will be authorised to act on his behalf in capacities specified in technical arrangements and who will be attached to the Office of the other Project Officer.

4. A Joint Steering Task Group will be established by the Project Officers to advise them, *inter alia,* concerning the development of new or modified equipment to meet specific requirements of the Government of the United Kingdom, and concerning interfaces between the equipment provided by the two Governments respectively. The Joint Steering Task Group will comprise the Project Officers (or their representatives), and principal liaison representatives, and may include selected leaders from among the scientists, industrialists and government executives of the United Kingdom and of the United States. The Joint Steering Task Group will meet approximately every three months alternately in the United Kingdom and in the United States under the chairmanship of the resident Project Officer.

ARTICLE III

1. The Government of the United States (acting through its Executive Agency) shall provide, pursuant to Article I of this Agreement, Polaris missiles (less warheads), equipment, and supporting services of such types and marks and in such quantities as the Government of the United Kingdom may from

time to time require, and in configurations and in accordance with delivery programmes or time tables to be agreed between the Project Officers. In the first instance the missiles, equipment, and supporting services provided by the Government of the United States shall be sufficient to meet the requirements of a programme drawn up by the Government of the United Kingdom and communicated to the Government of the United States prior to the entry into force of this Agreement.

2. The missiles, equipment, and supporting services referred to in paragraph 1 of this article are the following:

(*a*) Polaris missiles (less warheads but including guidance capsules);

(*b*) missile launching and handling systems;

(*c*) missile fire control systems;

(*d*) ships navigation systems;

(*e*) additional associated, support, test, and training equipment and services including, but not limited to:

(i) test and check-out equipment, specialised power supplies, power distribution systems and support equipment associated with the items enumerated in subparagraphs (*a*), (*b*), (*c*), and (*d*) of this paragraph and adequate in type and quantity to meet the requirements of installations both aboard ship and ashore;

(ii) specialised equipment including the types specified in subparagraphs (*a*), (*b*), (*c*), (*d*), and (*e*)(i) of this paragraph for use in such support and training facilities as may be provided by the Government of the United Kingdom;

(iii) construction spares and spare parts adequate in scope and quantity to ensure the continued maintenance of the equipment specified in subparagraphs (*a*), (*b*), (*c*), (*d*), (*e*)(i), and (*e*)(ii) of this paragraph;

(iv) (*a*) latest available United States technical documentation including specifications, blueprints, and manuals covering the missiles and equipment listed in subparagraphs (*a*), (*b*), (*c*), (*d*), (*e*)(i), (*e*)(ii), and (*e*)(iii) of this paragraph in sufficient scope and quantity to cover safety requirements and permit successful transport, installation, operation, and maintenance by the Government of the United Kingdom of all equipment purchased under the terms of this Agreement;

(*b*) latest available United States technical documentation, as may be necessary from time to time in individual cases, to permit manufacture by the Government of the United Kingdom to the extent necessary for the maintenance, repair, and modification of the items listed in subparagraphs (*a*), (*b*), (*c*) (*d*), (*e*)(i), (*e*)(ii), and (*e*)(iii) of this paragraph ;

(v) services, including:

(*a*) use, as appropriate, of existing support and missile range facilities in the United States ;

(*b*) assistance in programme management techniques and, in addition, those engineering and lead shipyard services required to ensure proper system integration, installation, and check-out in the United Kingdom ; to the extent required and available, appropriate modification, maintenance, and overhaul of the equipment listed in subparagraphs (*a*), (*b*), (*c*), (*d*), (*e*)(i), (*e*)(ii), (*e*)(iii) of this paragraph ;

(*c*) research, design, development, production, test, or other engineering services as may be required to meet specific United Kingdom requirements ;

(*d*) training of naval and civil personnel in the service of the Government of the United Kingdom and United Kingdom contractors to the extent to which they are involved in the inspection, installation, operation, maintenance, repair, and modification of the equipment listed in subparagraphs (*a*), (*b*), (*c*), (*d*), (*e*)(i), (*e*)(ii), and (*e*)(iii) of this paragraph.

ARTICLE IV

Future developments relating to the Polaris Weapon System, including all modifications made thereto, by the Government of the United Kingdom or the Government of the United States shall, in the areas enumerated in Article III, be made reciprocally available through their Executive Agencies in accordance with the terms of this Agreement, reciprocally applied.

ARTICLE V

The Government of the United Kingdom will provide the submarines in which will be installed the missiles and equipment to be provided under this Agreement, and will provide the warheads for these missiles. Close coordination between the Executive Agencies of the contracting Governments will be

maintained in order to assure compatibility of equipment. Information concerning the hull, auxiliary machinery, and equipment of United States submarines transmitted under the authority of this Agreement will be such as is necessary to obtain a satisfactory interface between the equipment provided by the two Governments respectively. This Agreement does not, however, authorise the sale of, or transmittal of information concerning, the nuclear propulsion plants of United States submarines.

ARTICLE VI

1. In carrying out this Agreement, the Government of the United States will use, to the extent practicable, established Department of Defence contracting procedures and existing Polaris contracts. In any event contracts for production or work for the Government of the United Kingdom will be incorporated in or placed on the same terms as those for the Government of the United States. When appropriate the United States Project Officer will direct that amendments be sought to existing contracts and that terms be incorporated in new contracts to safeguard any special requirements of the Government of the United Kingdom in the contract subject matter which may arise in connection with this Agreement, for example, to provide for any alterations or any reduction of quantities which may be necessary.

2. The missiles and equipment provided by the Government of the United States under this Agreement shall be fabricated to the same documentation and quality standards as are the counterparts for the United States Polaris Programme.

3. The missiles and equipment provided by the Government of the United States under this Agreement will be integrated with the scheduled United States Polaris Programme and will be fabricated on a schedule which will make the most efficient and economical use of existing United States production lines. Deliveries will be made upon a schedule to be defined by the Government of the United Kingdom, but which is consonant with the above fabrication schedule.

ARTICLE VII

1. The Government of the United States shall ensure that all supplies (which term throughout this Article includes, but

without limitation, raw materials, components, intermediate assemblies and end items) which it will provide under this Agreement are inspected to the same extent and in the same manner (including the granting of waivers and deviations) as are the counterparts for the United States Polaris Programme. The United Kingdom Project Officer or his designated representative may observe the inspection process and offer his advice to the United States Government Inspector regarding the inspection, without delay to, or impairment of the finality of, the inspection by the Government of the United States.

2. The United States Project Officer through appropriate procedures will notify the United Kingdom Project Officer when final inspection of each end item will take place, and will furnish a certificate or certificates upon completion of each such inspection stating that this inspection has been made and that such end item has been accepted as having met all requirements of the relevant acceptance documentation (subject to any appropriate waivers and deviations). Copies of acceptance documentation and quality standards, together with reports required thereby, will be furnished to the United Kingdom Project Officer or his designated representative.

3. The Government of the United Kingdom will take delivery of the supplies as agreed pursuant to Article X following inspection, acceptance and certification by the Government of the United States. Delivery to the Government of the United Kingdom shall not relieve the Government of the United States from continuing responsibility for using its best endeavours thereafter to secure the correction or replacement of any items found not to have been manufactured in strict accordance with the documentation and quality standards referred to in Article VI or to be otherwise defective. Such corrections or replacements will be at the expense of the Government of the United Kingdom to the extent they are not covered by warranty or guaranty or otherwise recoverable by the Government of the United States.

4. The Government of the United States will use its best endeavours to obtain for or extend to the Government of the United Kingdom the benefit of any guarantees or warranties negotiated with United States contractors or subcontractors.

ARTICLE VIII

The Government of the United Kingdom shall indemnify and hold harmless the Government of the United States against any liability or loss resulting from unusually hazardous risks attributable to Polaris missiles or equipment identifiable, respectively, as missiles or equipment supplied or to be supplied to the Government of the United Kingdom under this Agreement. Unusually hazardous risks for the purposes of this Agreement, are those defined by applicable statutes of the United States, or by any appropriate administrative act under the authority of such statutes, or held to exist by a court of competent jurisdiction. The Government of the United States shall give the Government of the United Kingdom immediate notice of any suit or action filed or of any claim made to which the provisions of this Article may be relevant. Representatives of the United Kingdom may be associated with the defence, before a court of competent jurisdiction, of any claim which may be borne in whole or in part by the Government of the United Kingdom. In procurement contracts for supplies and services made pursuant to this Agreement the Government of the United States is authorised to include unusually hazardous risk indemnification provisions substantially similar to those included in its own corresponding contracts.

ARTICLE IX

1. The Government of the United States will follow its normal procurement practices in securing all rights it considers to be essential to enable it to provide the missiles and equipment to be supplied to the Government of the United Kingdom under this Agreement. In addition, the Government of the United States shall notify the Government of the United Kingdom of any claim asserted hereafter for compensation for unlicensed use of patent rights alleged to be involved in the supply of such missiles and equipment to the Government of the United Kingdom, and the two Governments will consult as to the appropriate disposition of such claim.

2. The Government of the United Kingdom shall reimburse the Government of the United States for any payments made by the Government of the United States in settlement of liability, including cost and expenses, for unlicensed use of any patent

rights in the manufacture or sale of the missiles and equipment supplied or to be supplied to the Government of the United Kingdom under this Agreement.

ARTICLE X

1. Delivery of equipment other than missiles to be provided under this Agreement for installation in submarines or supporting facilities to be provided by the Government of the United Kingdom shall be the responsibility of the Government of the United States and shall be made to those locations within the United Kingdom where the equipment is required. In addition to delivery of such equipment, the Government of the United States shall, subject to reimbursement for costs incurred, be responsible for providing such technical installation and testing services as are required by the Government of the United Kingdom for the satisfactory installation, check-out and testing of that equipment in submarines and supporting facilities of the United Kingdom.

2. Delivery of all missiles shall be made to appropriate carriers of the United Kingdom or, if it is agreed, of the United States, at such United States supply points as are agreed by the Executive Agencies of both Governments. The Government of the United States shall be responsible for the initial check-out of all missiles provided under this Agreement.

ARTICLE XI

1. The charges to the Government of the United Kingdom for missiles, equipment, and services provided by the Government of the United States will be :

(*a*) The normal cost of missiles and equipment provided under the joint United States-United Kingdom production programme integrated in accordance with Article VI. This will be based on common contract prices together with charges for work done in United States Government establishments and appropriate allowance for use of capital facilities and for overhead costs.

(*b*) An addition of 5% to the common contract prices under sub-paragraph 1(*a*) of this Article for missiles and equipment provided to the United Kingdom, as a participation in the expenditures incurred by the Government of the United States after January 1, 1963, for research and development.

(*c*) Replacement cost of items provided from United States Government stock or, with respect to items not currently being procured, the most recent procurement cost.

(*d*) The actual cost of any research, design, development, production, test or other engineering effort, or other services required in the execution of this Agreement to meet specific United Kingdom requirements.

(*e*) The cost of packing, crating, handling and transportation.

(*f*) The actual costs of any other services, not specified above, which the Project Officers agree are properly attributable to this Agreement.

2. Payments by the Government of the United Kingdom in accordance with paragraph 1 of this Article shall be made in United States dollars. Payments to United States agencies and contractors shall be made, as they become due, from a trust fund which will be administered by the United States Project Officer. All payments out of the Trust Fund shall be certified to be in accordance with the terms of the Agreement. The Trust Fund will consist initially of a sum to be paid as soon as possible after entry into force of this agreement and to be equivalent to the payments estimated to fall due during the first calendar quarter of programme operations. Before the end of that quarter and of each succeeding quarter deposits shall be made by the Government of the United Kingdom with the object of having sufficient money in the Fund to meet all the calls which will be made upon it in the succeeding three months.

3. If at any time, the unexpended balance in the Trust Fund established pursuant to paragraph 2 of this Article falls short of the sums that will be needed in a particular quarter by the Government of the United States to cover:

(*a*) payment for the value of items to be furnished from the stocks of, or services to be rendered by, the Government of the United States ;

(*b*) payment by the Government of the United States to its suppliers for items and services to be procured for the Government of the United Kingdom ; and

(*c*) estimated liability or costs that may fall to be met by the Government of the United States as a result of termination of such procurement contracts at the behest of the Government of the United Kingdom ;

the Government of the United Kingdom will pay at such time to the Government of the United States such additional sums as will be due. Should the total payments received from the Government of the United Kingdom prove to be in excess of the final total costs to the Government of the United States, appropriate refund will be made to the Government of the United Kingdom at the earliest opportunity with final adjustment being made within thirty days after determination of said final costs.

4. The United States Project Officer will maintain a record of expenditures under this Agreement in accordance with established Navy Special Projects Office Accounting procedures which record will be available for audit annually by representatives of the Government of the United Kingdom.

ARTICLE XII

1. The provisions of this Article concerning proprietary rights shall apply to the work referred to in sub-paragraph 1(*d*) of Article XI of this Agreement (hereinafter called in this Article "the work").

2. The Government of the United States shall ensure that the Government of the United Kingdom will receive a royalty-free, non-exclusive, irrevocable licence for its governmental purposes:

(*a*) to practice or cause to be practised throughout the world, all inventions conceived or first actually reduced to practice in the performance of the work ; and

(*b*) to use or cause to be used throughout the world, all technical information first produced in the performance of the work.

3. In addition, the Government of the United States shall take the following steps to ensure the right of the Government of the United Kingdom to reproduce, by manufacturers of its own choice, items developed in the performance of the work. In respect of those elements of this right not included in sub-paragraphs 2(*a*) and 2(*b*) of this Article, the Government of the United States shall:

(*a*) to the extent that it owns or controls such elements, accord free user rights to the Government of the United Kingdom ;

(*b*) obtain the agreement of contractors and sub-contractors performing the work to make available to the Government of the United Kingdom, on fair and reasonable terms and conditions, those elements which the contractor or sub-contractor owns or controls at the commencement of the work or acquires during the performance of the work;

(*c*) use its best endeavours to obtain for the Government of the United Kingdom or to assist the Government of the United Kingdom to obtain directly or through its own manufacturers on fair and reasonable terms and conditions, elements of this right not covered by subparagraphs 2(*a*) and 2(*b*) of this Article.

4. The Government of the United States shall also ensure that the Government of the United Kingdom will receive the same rights as those referred to in paragraphs 2 and 3 of this Article in respect of any material now or hereafter covered by copyright produced or delivered in the performance of the work.

5. The Government of the United States shall furnish to the Government of the United Kingdom, in such quantities as may be agreed:

(*a*) all documentation obtained by the Government of the United States under contracts placed for the performance of the work;

(*b*) all documentation, owned or controlled by the Government of the United States, necessary for reproduction, by or on behalf of the Government of the United Kingdom, of items developed during the performance of the work.

6. It is understood that the Government of the United States will obtain for itself such of the rights referred to in subparagraphs 2(*a*), 2(*b*) and 3 of this Article as it may require for its governmental purposes.

7. The term "owned or controlled" as used in this Article means the right to grant a licence without incurring liability to any private owner of a proprietary or other legal interest.

8. The Government of the United States will use its best endeavours to ensure that there will be made available by United States manufacturers to the Government of the United Kingdom, on fair and reasonable terms and conditions, such technical assistance—for example, loan of engineers, or training

—as the Government of the United Kingdom desires in order to permit the production by manufacturers of its own choice of the items developed in the performance of the work.

9. The Government of the United States will insert suitable provisions in all prime contracts for the work to ensure the availability to the Government of the United Kingdom of the rights, set forth in this Article, including a requirement that similar provisions be placed in subcontracts.

ARTICLE XIII

1. The Government of the United States, to the extent that it can do so without incurring liability to any private owner of a proprietary or other legal interest, shall grant to the Government of the United Kingdom: (i) the right to reproduce and use, royalty-free, the technical documentation referred to in subparagraph 2(*e*)(iv) of Article III for the purposes stated in that subparagraph; and (ii) a non-exclusive, royalty-free licence to practise or cause to be practised any invention for these purposes.

2. In respect of any part of the technical documentation referred to in paragraph 1 of this Article which the Government of the United States cannot furnish to the Government of the United Kingdom without incurring a liability to a private owner of a proprietary or other legal interest, the Government of the United States will use its best endeavours to assist the Government of the United Kingdom in securing for the Government of the United Kingdom on fair and reasonable terms and conditions the right to use such documentation for the purposes stated in subparagraph 2(*e*)(iv) of Article III.

ARTICLE XIV

1. The Government of the United Kingdom shall not, without the prior express consent of the Government of the United States, transfer, or permit access to, or use of, the missiles, equipment, services, or documents or information relating thereto which are provided by the Government of the United States under this Agreement, except to a United Kingdom officer, employee, national or firm engaged in the implementation of this Agreement.

2. The Government of the United Kingdom shall undertake such security measures as are necessary to afford classified articles, services, documents or information substantially the same degree of protection afforded by the Government of the United States in order to prevent unauthorised disclosure or compromise.

ARTICLE XV

Annually, on or before the first of July, the Project Officers will prepare a formal joint report to the contracting Governments of action taken and progress made under this Agreement and a forecast of schedules and costs for completion. In addition, other more frequent joint reports will be submitted, as agreed upon by the Project Officers, to the heads of the Executive Agencies.

ARTICLE XVI

This Agreement shall enter into force on the date of signature.

In witness whereof the undersigned, being duly authorised thereto by their respective Governments, have signed this Agreement.

Done in duplicate at Washington this 6th day of April, 1963.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

D. ORMSBY GORE

For the Government of the United States of America:

DEAN RUSK

AMENDMENT to the Agreement between the United Kingdom and the United States of America for Co-operation in the Civil Uses of Atomic Energy of 15th June, 1955.—Washington, 5th June, 1963[1]

The Government of the United Kingdom of Great Britain and Northern Ireland, on its own behalf and on behalf of the

(1) Treaty Series No. 82 (1963) (Cmnd. 2166).

United Kingdom Atomic Energy Authority, and the Government of the United States of America (including the United States Atomic Energy Commission);

Desiring to amend further in certain respects the Agreement for Cooperation on the Civil Uses of Atomic Energy (hereinafter referred to as the Agreement for Cooperation) signed between them at Washington on June 15, 1955(2), as amended by the Notes signed October 20, 1955, and November 3, 1955(3), the Agreement signed at Washington on June 13, 1956(4), and as modified by the Agreement signed at Washington on July 3, 1958(5);

Have agreed as follows:

ARTICLE 1

Article IV of the Agreement for Cooperation, as amended, is further amended by adding the following paragraph:

"C.—In addition to transfers of special nuclear material for the purposes provided elsewhere in this Agreement, irradiated special nuclear material of United States origin may be transferred under such terms and conditions as may be agreed by the Parties to the United Kingdom for chemical reprocessing. Under such terms and conditions as may be agreed by the Parties, the United Kingdom also may convert or fabricate, or both, material transferred pursuant to the preceding sentence. In connection with such conversion and fabrication services, the United States may agree:

(1) to transfer to the United Kingdom uranium including its compounds in such amounts and at such enrichment in the isotope U-235 as when blended with the reprocessed uranium will permit the fabrication of replacement fuel;

(2) to transfer to the United Kingdom uranium including its compounds in such amounts and at such enrichment in the isotope U-235 as may be required for replacement fuel and to accept the reprocessed uranium as a credit against the transfer;

(2) Vol. 162, page 157.
(3) Vol. 162, page 163, footnote (2).
(4) Vol. 162, page 708.
(5) Vol. 163, page 692.

(3) to permit the blending of the reprocessed uranium with United Kingdom material ; and

(4) to permit the re-enrichment of the reprocessed uranium in United Kingdom facilities.

The United States may also transfer to the United Kingdom, on such terms and conditions as may be agreed by the Parties, uranium including its compounds enriched in the isotope U-235 for the performance in the United Kingdom of conversion or fabrication services, or both. Upon completion of any of the services mentioned in this paragraph C, such transferred material may be retained in the United Kingdom for applications otherwise within the scope of this Agreement or be transferred to another nation or group of nations pursuant to the terms of Article IX hereof."

ARTICLE II

This amendment, which shall be regarded as an integral part of the Agreement for Cooperation, shall enter into force on the date on which each Government shall have received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of this amendment(6).

In witness whereof, the undersigned, duly authorized, have signed this amendment.

Done at Washington this 5th day of June 1963, in two original texts.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

DAVID ORMSBY GORE

For the Government of the United States of America:

RICHARD H. DAVIS

GLENN T. SEABORG

(6) 31st July, 1963.

JOINT COMMUNIQUE on the talks between Mr. Macmillan and President Kennedy.—Birch Grove, Sussex, 30th June, 1963[1]

During the past two days President Kennedy and Prime Minister Macmillan have held their seventh meeting to discuss current problems. Their talks have taken place at Prime Minister Macmillan's home in Sussex and followed on President Kennedy's visit to Germany and Eire.

The United States Secretary of State, Mr. Rusk, Lord Home, British Foreign Secretary, Mr. Duncan Sandys, Secretary of State for Commonwealth Relations and Secretary of State for the Colonies, Lord Hailsham, Lord President of the Council, Mr. Thorneycroft, Minister of Defence, and Mr. Heath, Lord Privy Seal, took part in the talks at various times.

During some twelve hours of discussion the President and the Prime Minister began by hearing reports from Lord Home and Mr. Rusk about conversations which the two Ministers had held in London during the previous two days. The topics covered included Laos and the Far Eastern situation, the position in the Middle East, the problems of NATO and the Western Alliance and the effort for a test ban treaty. President Kennedy and the Prime Minister took note in particular of the situation in Laos and expressed their concern at the frequent breaches of the Geneva Agreement of 1962[2] and at the failure of certain parties to the Agreement to carry out their obligations under it. They agreed to continue to work closely together for the preservation of peace in Laos and the independence and neutrality of that country. They also agreed to continue close general co-operation in the Far East, particularly in regard to the problems of Vietnam. As regards the Middle East, the President and the Prime Minister agreed on the importance of the efforts made by the United Nations in working towards conciliation in the Yemen and pledged their support to the Secretary-General.

The President and the Prime Minister were agreed on their policy of continuing to help India by providing further military aid to strengthen her defences against the threat of renewed

(1) *The Times*, 1st July 1963.
(2) Vol. 166, page 720.

Chinese communist attack. They were impressed by the importance to the economic progress and defence of both India and Pakistan, of whose anxieties they were fully aware, of an honourable and equitable settlement of the outstanding differences between the two countries: they stood ready to help in any way which might be desired by both countries.

President Kennedy and the Prime Minister then reviewed the problems of the Western Alliance, especially in regard to NATO. They noted with satisfaction the decisions reached at the recent NATO meeting in Ottawa(3), which implemented the concept which they had themselves set out at their meeting at Nassau in December, 1962(4), by which a number of powers assigned some or all of their present and future forces to NATO Command.

With regard to the future they took note of the studies now under way in NATO for review of the strategic and tactical concepts which should underlie NATO's military plans.

The President reported on his discussions with Dr. Adenauer(5) in which they reaffirmed their agreement to use their best efforts to bring into being a multilateral seaborne MRBM [medium-range ballistic missile] force and to pursue with other interested governments the principal questions involved in the establishment of such a force.

The President and the Prime Minister agreed that a basic problem facing the NATO Alliance was the closer association of its members with the nuclear deterrent of the Alliance. They also agreed that various possible ways of meeting this problem should be further discussed with their allies. Such discussions would include the proposals for a multilateral seaborne force, without prejudice to the question of British participation in such a force.

The President and the Prime Minister also reviewed the state of East-West relations and considered in particular the possibility of concluding in the near future a treaty to ban nuclear tests. They agreed that the achievement of such a treaty would be a major advance in East-West relations and

(3) *See* page 173.
(4) Vol. 166, page 643.
(5) *See* page 315.

might lead on to progress in other directions. They agreed the general line which their representatives, Mr. Averell Harriman and Lord Hailsham, should take during their visit to Moscow in July. The President and the Prime Minister reaffirmed their belief that the conclusion of a test ban treaty at this time was most urgent and pledged themselves to do all they could to bring this about.

INTERNATIONAL AGREEMENT for the Suppression of the White Slave Traffic, as amended by Protocol signed at New York on 4th May, 1949(1).—Paris, 18th May, 1904(2)

ACCESSIONS

Algeria	31st October, 1963
Cameroon(3)	3rd November, 1961
Central African Republic(3) ...	4th September, 1962
Congo (Brazzaville)(3) ...	5th October, 1962
Cyprus(3)	16th May, 1963
Dahomey(3)	4th April, 1962
Ghana(3)	7th April, 1958
Ivory Coast(3)	8th December, 1961
Malagasy Republic(3) ...	9th October, 1963
Niger(3)	25th August, 1961
Nigeria(3)	26th June, 1961
Senegal(3)	2nd May, 1963
Sierra Leone(3)	13th March, 1962
Tanganyika	18th March, 1963

(1) Vol. 154, page 504.
(2) Vol. 97, page 95.
(3) Extended to the territory before independence.

INTERNATIONAL CONVENTION for the Suppression of the White Slave Traffic, as amended by Protocol signed at New York on 4th May, 1949(1).—Paris, 4th May, 1910(2)

ACCESSIONS

Algeria	31st October, 1963
Cameroon(3)	3rd November, 1961
Central African Republic(3) ...	4th September, 1962
Congo (Brazzaville)(3) ...	15th October, 1962
Cyprus(3)	16th May, 1963
Dahomey(3)	4th April, 1962
Ghana(3)	7th April, 1958
Ivory Coast	8th December, 1961
Malagasy Republic	9th October, 1963
Niger	25th August, 1961
Senegal	2nd May, 1963
Sierra Leone	13th March, 1962
Tanganyika	18th March, 1963

(1) Vol. 154, page 504.
(2) Vol. 103, page 244.
(3) Extended to the territory before independence.

CONVENTION for the Suppression of the Traffic in Women and Children as amended by Protocol signed at New York on 12th November, 1947.—Geneva, 30th September, 1921(1)

SIGNATURE

Sierra Leone	13th August, 1962

ACCESSIONS

Algeria	31st October, 1963
Malagasy Republic	18th February, 1963

(1) Vol. 148, page 875 (amended text).

SLAVERY CONVENTION.—Geneva, 25th September, 1926(1)

ACCESSIONS

Cameroon(2)	7th March, 1962
Central African Republic(2) ...	4th September, 1962
Congo (Brazzaville)(2) ...	15th October, 1962
Dahomey(2)	4th April, 1962
Ghana(2)	3rd May, 1963
Guinea(2)	30th March, 1962
Ivory Coast(2)	8th December, 1961
Niger(2)	25th August, 1961
Senegal(2)	2nd May, 1963
Togo(2)	27th February, 1962

(1) Vol. 134, page 355.
(2) Extended to the territory before independence.

INTERNATIONAL CONVENTION relating to Exhibitions. —Paris, 22nd November, 1928(1)

ACCESSIONS

Nigeria	2nd January, 1963
Tanganyika	26th March, 1963

(1) Vol. 128, page 361.

INTERNATIONAL CONVENTION on the Stamp Laws in connexion with Cheques.—Geneva, 19th March, 1931(1)

ACCESSIONS

Hungary (with reservation) ...	28th October, 1964
Indonesia(2)	9th March, 1959
Malaysia(2)	14th January, 1960

(1) Vol. 134, page 418.
(2) Extended to the territory before independence.

CONVENTION on the Taxation of Foreign Motor Vehicles. —Geneva, 30th March, 1931(1)

DENUNCIATIONS

Irish Republic	18th March, 1963
United Kingdom	14th January, 1963

(1) Vol. 134, page 444.

INTERNATIONAL CONVENTION for the Protection of Industrial Property.—London, 2nd June, 1934[1]

ACCESSION

Rumania	19th November, 1963

(1) Vol. 139, page 758.

PROTOCOL regarding the Immunities of the Bank for International Settlements.—Brussels, 30th July, 1936[1]

ACCESSION

Federal Republic of Germany (with declaration)	17th May, 1956

(1) Vol. 140, page 285.

STATUTE OF THE INTERNATIONAL COURT OF JUSTICE.—San Francisco, 26th June, 1945[1]

DECLARATIONS OF ACCEPTANCE OF COMPULSORY JURISDICTION UNDER ARTICLE 36(2) OF THE STATUTE

		Text of Declaration in United Nations Treaty Series	
	Date of deposit	*Vol.*	*Page*
Somali Republic ...	11th April, 1963 ...	458	143
Uganda	3rd October, 1963 ...	479	35
United Kingdom ...	27th November, 1963 ...	482	187

(1) Vol. 145, page 832.

CONSTITUTION of the Food and Agriculture Organisation of the United Nations, as later amended.—Quebec, 16th October, 1945[1]

(1) Treaty Series No. 11 (1961) (Cmnd. 1299) and No. 10 (1965) (Cmnd. 2556). The following text which replaces that published in Vol. 145, page 910, incorporates amendments adopted at the 2nd to 12th Sessions of the United Nations Conference on Food and Agriculture, the final amendments taking effect on 3rd December, 1963.

PREAMBLE

The Nations accepting this Constitution, being determined to promote the common welfare by furthering separate and collective action on their part for the purposes of:

raising levels of nutrition and standards of living of the peoples under their respective jurisdictions ;

securing improvements in the efficiency of the production and distribution of all food and agricultural products ;

bettering the condition of rural populations ;

and thus contributing toward an expanding world economy ;

hereby establish the Food and Agriculture Organisation of the United Nations, hereinafter referred to as the " Organisation ", through which the Members will report to one another on the measures taken and the progress achieved in the fields of action set forth above.

ARTICLE I

Functions of the Organisation

1. The Organisation shall collect, analyse, interpret and disseminate information relating to nutrition, food and agriculture. In this Constitution, the term " agriculture " and its derivatives include fisheries, marine products, forestry and primary forestry products.

2. The Organisation shall promote and, where appropriate, shall recommend national and international action with respect to:

(*a*) scientific, technological, social and economic research relating to nutrition, food and agriculture ;

(*b*) the improvement of education and administration relating to nutrition, food, and agriculture, and the spread of public knowledge of nutritional and agricultural science and practice ;

(*c*) the conservation of natural resources and the adoption of improved methods of agricultural production ;

(*d*) the improvement of the processing, marketing, and distribution of food and agricultural products ;

(*e*) the adoption of policies for the provision of adequate agricultural credit, national and international ;

(*f*) the adoption of international policies with respect to agricultural commodity arrangements.

3. It shall also be the function of the Organisation:

(*a*) to furnish such technical assistance as governments may request;

(*b*) to organise, in co-operation with the governments concerned, such missions as may be needed to assist them to fulfil the obligations arising from their acceptance of the recommendations of the United Nations Conference on Food and Agriculture and of this Constitution; and

(*c*) generally to take all necessary and appropriate action to implement the purposes of the Organisation as set forth in the Preamble.

ARTICLE II

Membership and Associate Membership

1. The original Member Nations of the Organisation shall be such of the nations specified in Annex I as accept this Constitution, in accordance with the provisions of Article XXI.

2. The Conference may by a two-thirds majority of the votes cast, provided that a majority of the Member Nations of the Organisation is present, decide to admit as an additional Member of the Organisation any nation which has submitted an application for membership and a declaration made in a formal instrument that it will accept the obligations of the Constitution as in force at the time of admission.

3. The Conference may, under the same conditions regarding the required majority and quorum as prescribed in paragraph 2 above, decide to admit as an Associate Member of the Organisation any territory or group of territories which is not responsible for the conduct of its international relations upon application made on its behalf by the Member Nation or authority having responsibility for its international relations, provided that such Member Nation or authority has submitted a declaration made in a formal instrument that it will accept on behalf of the proposed Associate Member the obligations of the Constitution as in force at the time of admission, and that it will assume responsibility for ensuring the observance of the provisions of paragraph 4 of Article VIII, paragraphs 1

and 2 of Article XVI, and paragraphs 2 and 3 of Article XVIII of this Constitution with regard to the Associate Member.

4. The nature and extent of the rights and obligations of Associate Members are defined in the relevant provisions of this Constitution and the Rules and Regulations of the Organisation.

5. Membership and Associate Membership shall become effective on the date on which the Conference approves the application.

ARTICLE III

The Conference

1. There shall be a Conference of the Organisation in which each Member Nation and Associate Member shall be represented by one delegate. Associate Members shall have the right to participate in the deliberations of the Conference but shall not hold office nor have the right to vote.

2. Each Member Nation and Associate Member may appoint alternates, associates and advisers to its delegate. The Conference may determine the conditions for the participation of alternates, associates, and advisers in its proceedings, but any such participation shall be without the right to vote except in the case of an alternate, associate, or adviser participating in the place of a delegate.

3. No delegate may represent more than one Member Nation or Associate Member.

4. Each Member Nation shall have only one vote. A Member Nation which is in arrears in the payment of its financial contributions to the Organisation shall have no vote in the Conference if the amount of its arrears equals or exceeds the amount of the contributions due from it for the two preceding calendar years. The Conference may, nevertheless, permit such a Member Nation to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member Nation.

5. The Conference may invite any international organisation which has responsibilities related to those of the Organisation to be represented at its meetings on the conditions prescribed

by the Conference. No representative of such an organisation shall have the right to vote.

6. The Conference shall meet once in every two years in regular session. It may meet in special session:

(*a*) if at any regular session the Conference decides, by a majority of the votes cast, to meet in the following year;

(*b*) if the Council so instructs the Director-General, or if at least one third of the Member Nations so request.

7. The Conference shall elect its own officers.

8. Except as otherwise expressly provided in this Constitution or by rules made by the Conference, all decisions of the Conference shall be taken by a majority of the votes cast.

ARTICLE IV

Functions of the Conference

1. The Conference shall determine the policy and approve the budget of the Organisation and shall exercise the other powers conferred upon it by this Constitution.

2. The Conference shall adopt Rules of Procedure and Financial Regulations for the Organisation.

3. The Conference may, by a two-thirds majority of the votes cast, make recommendations to Member Nations and Associate Members concerning questions relating to food and agriculture, for consideration by them with a view to implementation by national action.

4. The Conference may make recommendations to any international organisation regarding any matter pertaining to the purposes of the Organisation.

5. The Conference may review any decision taken by the Council or by any commission or committee of the Conference or Council, or by any subsidiary body of such commissions or committees.

ARTICLE V

Council of the Organisation

1. A Council of the Organisation consisting of twenty-seven Member Nations shall be elected by the Conference. Each Member Nation on the Council shall have one representative and

shall have only one vote. Each Member of the Council may appoint an alternate, associates and advisers to its representative. The Council may determine the conditions for the participation of alternates, associates and advisers in its proceedings, but any such participation shall be without the right to vote, except in the case of an alternate, associate or adviser participating in the place of a representative. No representative may represent more than one Member of the Council. The tenure and other conditions of office of the Members of the Council shall be subject to rules made by the Conference.

2. The Conference shall, in addition, appoint an independent Chairman of the Council.

3. The Council shall have such powers as the Conference may delegate to it, but the Conference shall not delegate the powers set forth in paragraphs 2 and 3 of Article II, Article IV, paragraph 1 of Article VII, Article XII, paragraph 4 of Article XIII, paragraphs 1 and 6 of Article XIV and Article XX of this Constitution.

4. The Council shall appoint its officers other than the Chairman and, subject to any decisions of the Conference, shall adopt its own rules of procedure.

5. Except as otherwise expressly provided in this Constitution or by rules made by the Conference or Council, all decisions of the Council shall be taken by a majority of the votes cast.

6. To assist the Council in performing its functions, the Council shall appoint a Programme Committee, a Finance Committee, a Committee on Commodity Problems and a Committee on Constitutional and Legal Matters. These committees shall report to the Council and their composition and terms of reference shall be governed by rules adopted by the Conference.

ARTICLE VI

Commissions, Committees, Conferences, Working Parties and Consultations

1. The Conference or Council may establish commissions, the membership of which shall be open to all Member Nations and Associate Members, or regional commissions open to all Member Nations and Associate Members whose territories are situated wholly or in part in one or more regions, to advise on

the formulation and implementation of policy and to co-ordinate the implementation of policy. The Conference or Council may also establish, in conjunction with other inter-governmental organisations, joint commissions open to all Member Nations and Associate Members of the Organisation and of the other organisations concerned, or joint regional commissions open to Member Nations and Associate Members of the Organisation and of the other organisations concerned, whose territories are situated wholly or in part in the region.

2. The Conference, the Council, or the Director-General on the authority of the Conference or Council, may establish committees and working parties to study and report on matters pertaining to the purpose of the Organisation and consisting either of selected Member Nations and Associate Members, or of individuals appointed in their personal capacity because of their special competence in technical matters. The Conference, the Council, or the Director-General on the authority of the Conference or Council may, in conjunction with other inter-governmental organisations, also establish joint committees and working parties, consisting either of selected Member Nations and Associate Members of the Organisation and of the other organisations concerned, or of individuals appointed in their personal capacity. The selected Member Nations and Associate Members shall, as regards the Organisation, be designated either by the Conference or the Council, or by the Director-General if so decided by the Conference or Council. The individuals appointed in their personal capacity shall, as regards the Organisation, be designated either by the Conference, the Council, selected Member Nations or Associate Members, or by the Director-General, as decided by the Conference or Council.

3. The Conference, the Council, or the Director-General on the authority of the Conference or Council, shall determine the terms of reference and reporting procedures, as appropriate, of commissions, committees and working parties established by the Conference, the Council, or the Director-General as the case may be. Such commissions and committees may adopt their own rules of procedure and amendments thereto, which shall come into force upon approval by the Director-General subject to confirmation by the Conference or Council, as appropriate. The terms of reference and reporting procedures of joint com-

missions, committees and working parties established in conjunction with other inter-governmental organisations shall be determined in consultation with the other organisations concerned.

4. The Director-General may establish, in consultation with Member Nations, Associate Members and National FAO Committees, panels of experts, with a view to developing consultation with leading technicians in the various fields of activity of the Organisation. The Director-General may convene meetings of some or all of these experts for consulation on specific subjects.

5. The Conference, the Council, or the Director-General on the authority of the Conference or Council, may convene general, regional, technical or other conferences, or working parties or consultations of Member Nations and Associate Members, laying down their terms of reference and reporting procedures, and may provide for participation in such conferences, working parties and consultations, in such manner as they may determine, of national and international bodies concerned with nutrition, food and agriculture.

6. When the Director-General is satisfied that urgent action is required, he may establish the committees and working parties and convene the conferences, working parties and consultations provided for in paragraphs 2 and 5 above. Such action shall be notified by the Director-General to Member Nations and Associate Members and reported to the following session of the Council.

7. Associate Members included in the membership of the commissions, committees or working parties, or attending the conferences, working parties or consultations referred to in paragraphs 1, 2 and 5 above, shall have the right to participate in the deliberations of such commissions, committees, conferences, working parties and consultations, but shall not hold office nor have the right to vote.

ARTICLE VII

The Director-General

1. There shall be a Director-General of the Organisation who shall be appointed by the Conference for a term of four years.

2. Upon expiry of the term of four years the Director-General may be reappointed for a term of two years. Upon expiry of this term of two years, the Director-General may be reappointed for a further term of two years, after which he shall not be eligible for reappointment.

3. Appointments and reappointments under this Article shall be made by such procedures and on such other terms as the Conference may determine.

4. Should the office of Director-General become vacant during any one of the above-mentioned terms of office, the Conference may appoint a successor to serve for the then unexpired portion of that term of office. Such successor may again be appointed or reappointed in accordance with the provisions of paragraphs 1, 2 and 3 of this Article, provided that the total of his terms of office does not exceed eight years.

5. Subject to the general supervision of the Conference and the Council, the Director-General shall have full power and authority to direct the work of the Organisation.

6. The Director-General or a representative designated by him shall participate, without the right to vote, in all meetings of the Conference, and of the Council and shall formulate for consideration by the Conference and the Council proposals for appropriate action in regard to matters coming before them.

ARTICLE VIII

Staff

1. The staff of the Organisation shall be appointed by the Director-General in accordance with such procedure as may be determined by rules made by the Conference.

2. The staff of the Organisation shall be responsible to the Director-General. Their responsibilities shall be exclusively international in character and they shall not seek or receive instructions in regard to the discharge thereof from any authority external to the Organisation. The Member Nations and Associate Members undertake fully to respect the international character of the responsibilities of the staff and not to seek to influence any of their nationals in the discharge of such responsibilities.

3. In appointing the staff the Director-General shall, subject to the paramount importance of securing the highest standards of efficiency and of technical competence, pay due regard to the importance of selecting personnel recruited on as wide a geographical basis as is possible.

4. Each Member Nation and Associate Member undertakes, insofar as it may be possible under its constitutional procedure, to accord to the Director-General and senior staff diplomatic privileges and immunities and to accord to other members of the staff all facilities and immunities accorded to non-diplomatic personnel attached to diplomatic missions, or alternatively to accord to such other members of the staff the immunities and facilities which may hereafter be accorded to equivalent members of the staffs of other public international organisations.

ARTICLE IX

Seat

The seat of the Organisation shall be determined by the Conference.

ARTICLE X

Regional and Liaison Offices

1. There shall be such regional offices and sub-regional offices as the Director-General, with the approval of the Conference, may decide.

2. The Director-General may appoint officials for liaison with particular countries or areas, subject to the agreement of the government concerned.

ARTICLE XI

Reports by Member Nations and Associate Members

1. Each Member Nation and Associate Member shall communicate periodically to the Organisation reports on the progress made toward achieving the purpose of the Organisation set forth in the Preamble and on the action taken on the basis of recommendations made and conventions submitted by the Conference.

2. These reports shall be made at such times and in such forms and shall contain such particulars as the Conference may request.

3. The Director-General shall submit these reports, together with analyses thereof, to the Conference and shall publish such reports and analyses as may be approved for publication by the Conference, together with any reports relating thereto adopted by the Conference.

4. The Director-General may request any Member Nation or Associate Member to submit information relating to the purpose of the Organisation.

5. Each Member Nation and Associate Member shall, on request, communicate to the Organisation, on publication, all laws and regulations and official reports and statistics concerning nutrition, food and agriculture.

ARTICLE XII

Relations with the United Nations

1. The Organisations shall maintain relations with the United Nations as a specialised agency within the meaning of Article 57 of the Charter of the United Nations(2).

2. Agreements defining the relations between the Organisation and the United Nations shall be subject to the approval of the Conference.

ARTICLE XIII

Co-operation with Organisations and Persons

1. In order to provide for close co-operation between the Organisation and other international organisations with related

(2) Article 57 reads as follows: 1. The various specialised agencies, established by intergovernmental agreement and having wide international responsibilities, as defined, in their basic instruments, in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations in accordance with the provisions of Article 63.

2. Such agencies thus brought into relationship with the United Nations are hereinafter referred to as specialised agencies.

Article 63 reads as follows: 1. The Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations. Such agreements shall be subject to approval by the General Assembly.

2. It may co-ordinate the activities of the specialised agencies through consultation with and recommendations to such agencies and through recommendations to the General Assembly and to the Members of the United Nations.

responsibilities, the Conference may enter into agreements with the competent authorities of such organisations, defining the distribution of responsibilities and methods of co-operation.

2. The Director-General may, subject to any decision of the Conference, enter into agreements with other intergovernmental organisations for the maintenance of common services, for common arrangements in regard to recruitment, training, conditions of services, and other related matters, and for interchanges of staff.

3. The Conference may approve arrangements placing other international organisations dealing with questions relating to food and agriculture under the general authority of the Organisation on such terms as may be agreed with the competent authorities of the organisation concerned.

4. The Conference shall make rules laying down the procedure to be followed to secure proper consultation with governments in regard to relations between the Organisation and national institutions or private persons.

ARTICLE XIV

Conventions and Agreements

1. The Conference may, by a two-thirds majority of the votes cast and in conformity with rules adopted by the Conference, approve and submit to Member Nations conventions and agreements concerning questions relating to food and agriculture.

2. The Council, under rules to be adopted by the Conference, may, by a vote concurred in by at least two thirds of the membership of the Council, approve and submit to Member Nations :

(*a*) agreements concerning questions relating to food and agriculture which are of particular interest to Member Nations of geographical areas specified in such agreements and are designed to apply only to such areas ;

(*b*) supplementary conventions or agreements designed to implement any convention or agreement which has come into force under paragraphs 1 or 2(*a*).

3. Conventions, agreements, and supplementary conventions and agreements shall :

(*a*) be submitted to the Conference or Council through the Director-General on behalf of a technical meeting or conference comprising Member Nations, which has assisted in drafting the convention or agreement and has suggested that it be submitted to Member Nations concerned for acceptance ;

(*b*) contain provisions concerning the Member Nations of the Organisation, and such nonmember nations as are members of the United Nations, which may become parties thereto and the number of acceptances by Member Nations necessary to bring such convention, agreement, supplementary convention or agreement into force, and thus ensure that it will constitute a real contribution to the achievement of its objectives. In the case of conventions, agreements, supplementary conventions and agreements establishing commissions or committees, participation by nonmember nations of the Organisation that are members of the United Nations shall in addition be subject to prior approval by at least two-thirds of the membership of such commissions or committees ;

(*c*) not entail any financial obligations for Member Nations not parties to it other than their contributions to the Organisation provided for in Article XVIII, paragraph 2, of this Constitution.

4. Any convention, agreement, supplementary convention or agreement approved by the Conference or Council for submission to Member Nations shall come into force for each contracting party as the convention, agreement, supplementary convention or agreement may prescribe.

5. As regards an Associate Member, conventions, agreements, supplementary conventions and agreements shall be submitted to the authority having responsibility for the international relations of the Associate Member.

6. The Conference shall make rules laying down the procedure to be followed to secure proper consultation with governments and adequate technical preparations prior to consideration by the Conference or the Council of proposed conventions, agreements, supplementary conventions and agreements.

7. Two copies in the authentic language or languages of any convention, agreement, supplementary convention or agreement approved by the Conference or the Council shall be

certified by the Chairman of the Conference or of the Council respectively and by the Director-General. One of these copies shall be deposited in the archives of the Organisation. The other copy shall be transmitted to the Secretary-General of the United Nations for registration once the convention, agreement, supplementary convention or agreement has come into force as a result of action taken under this Article. In addition, the Director-General shall certify copies of those conventions, agreements, supplementary conventions or agreements and transmit one copy to each Member Nation of the Organisation and to such nonmember nations as may become parties to the conventions, agreements, supplementary conventions or agreements.

ARTICLE XV

Agreements between the Organisation and Member Nations

1. The Conference may authorise the Director-General to enter into agreements with Member Nations for the establishment of international institutions dealing with questions relating to food and agriculture.

2. In pursuance of a policy decision taken by the Conference by a two-thirds majority of the votes cast, the Director-General may negotiate and enter into such agreements with Member Nations subject to the provisions of paragraph 3 below.

3. The signature of such agreements by the Director-General shall be subject to the prior approval of the Conference by a two-thirds majority of the votes cast. The Conference may, in a particular case or cases, delegate the authority of approval to the Council, requiring a vote concurred in by at least two thirds of the membership of the Council.

ARTICLE XVI

Legal Status

1. The Organisation shall have the capacity of a legal person to perform any legal act appropriate to its purpose which is not beyond the powers granted to it by this Constitution.

2. Each Member Nation and Associate Member undertakes, in so far as it may be possible under its constitutional procedure, to accord to the Organisation all the immunities and

facilities which it accords to diplomatic missions, including inviolability of premises and archives, immunity from suit and exemptions from taxation.

3. The Conference shall make provision for the determination by an administrative tribunal of disputes relating to the conditions and terms of appointment of members of the staff.

ARTICLE XVII

Interpretation of Constitution and Settlement of Legal Questions

1. Any question or dispute concerning the interpretation of this Constitution, if not settled by the Conference, shall be referred to the International Court of Justice in conformity with the Statute of the Court or to such other body as the Conference may determine.

2. Any request by the Organisation to the International Court of Justice for an advisory opinion on legal questions arising within the scope of its activities shall be in accordance with any agreement between the Organisation and the United Nations.

3. The reference of any question or dispute under this Article, or any request for an advisory opinion, shall be subject to procedures to be prescribed by the Conference.

ARTICLE XVIII

Budget and Contributions

1. The Director-General shall submit to each regular session of the Conference the budget of the Organisation for approval.

2. Each Member Nation and Associate Member undertakes to contribute annually to the Organisation its share of the budget, as apportioned by the Conference. When determining the contributions to be paid by Member Nations and Associate Members, the Conference shall take into account the difference in status between Member Nations and Associate Members.

3. Each Member Nation and Associate Member shall, upon approval of its application, pay as its first contribution a proportion, to be determined by the Conference, of the budget for the current financial period.

4. The financial period of the Organisation shall be the two calendar years following the normal date for the regular session of the Conference, unless the Conference should otherwise determine.

5. Decisions on the level of the budget shall be taken by a two-thirds majority of the votes cast.

ARTICLE XIX

Withdrawal

Any Member Nation may give notice of withdrawal from the Organisation at any time after the expiration of four years from the date of its acceptance of this Constitution. The notice of withdrawal of an Associate Member shall be given by the Member Nation or authority having responsibility for its international relations. Such notice shall take effect one year after the date of its communication to the Director-General. The financial obligation to the Organisation of a Member Nation which has given notice of withdrawal, or of an Associate Member on whose behalf notice of withdrawal has been given, shall include the entire calendar year in which the notice takes effect.

ARTICLE XX

Amendment of Constitution

1. The Conference may amend this Constitution by a two-thirds majority of the votes cast, provided that such majority is more than one half of the Member Nations of the Organisation.

2. An amendment not involving new obligations for Member Nations or Associate Members shall take effect forthwith, unless the resolution by which it is adopted provides otherwise. Amendments involving new obligations shall take effect for each Member Nation and Associate Member accepting the amendment on acceptance by two-thirds of the Member Nations of the Organisation and thereafter for each remaining Member Nation or Associate Member on acceptance by it. As regards an Associate Member the acceptance of amendments involving new obligations shall be given on its behalf by the Member Nation or authority having responsibility for the international relations of the Associate Member.

3. Proposals for the amendment of the Constitution may be made either by the Council or by a Member Nation in a communication addressed to the Director-General. The Director-General shall immediately inform all Member Nations and Associate Members of all proposals for amendments.

4. No proposal for the amendment of the Constitution shall be included in the agenda of any session of the Conference unless notice thereof has been dispatched by the Director-General to the Member Nations and Associate Members at least 120 days before the opening of the session.

ARTICLE XXI

Entry into Force of Constitution

1. This Constitution shall be open to acceptance by the nations specified in Annex 1([3]).

2. The instruments of acceptance shall be transmitted by each government to the United Nations Interim Commission on Food and Agriculture, which shall notify their receipt to the governments of the nations specified in Annex 1. Acceptance may be notified to the Interim Commission through a diplomatic representative, in which case the instrument of acceptance must be transmitted to the Commission as soon as possible thereafter.

3. Upon the receipt by the Interim Commission of 20 notifications of acceptance, the Interim Commission shall arrange for this Constitution to be signed in a single copy by the diplomatic representatives, duly authorised thereto, of the nations who shall have notified their acceptance, and upon being so signed on behalf of not less than 20 of the nations specified in Annex 1, this Constitution shall come into force immediately([4]).

4. Acceptances, the notification of which is received after the entry into force of this Constitution, shall become effective upon receipt by the Interim Commission or the Organisation.

([3]) Not reproduced here.
([4]) The Constitution entered into force on 16th October, 1945.

ARTICLE XXII

Authentic Texts of Constitution

The English, French and Spanish texts of this Constitution shall be equally authoritative.

PROTOCOL modifying the International Convention relating to Exhibitions of 22nd November, 1928(1).—Paris, 10th May, 1948(2)

RATIFICATION

Greece	6th May, 1953 (amended date)

ACCESSIONS

Nigeria	2nd January, 1963
Tanganyika	26th March, 1963

(1) Vol. 128, page 361.
(2) Vol. 154, page 403.

STATUTE of the Council of Europe, as amended.—London, 5th May, 1949(1)

ACCESSION

Switzerland	6th May, 1963

(1) Vols. 154, page 509; 158, page 569; 160, page 410; and 166, page 313.

AGREEMENT for the Establishment of a General Fisheries Council for the Mediterranean, as later amended.—Rome, 24th September, 1949(1)

PREAMBLE

The Contracting Governments having a mutual interest in the development and proper utilisation of the resources of the Mediterranean and contiguous waters, and desiring to further the attainment of their objectives through international co-operation which would be furthered by the establishment of a General Fisheries Council for the Mediterranean, agree as follows:

(1) Treaty Series No. 40 (1964) (Cmnd. 2437). This text replaces that published in Vol. 154, page 694, and incorporates amendments adopted by the General Fisheries Council for the Mediterranean on 22nd May, 1963. The amendments came into force on 3rd December, 1963.

ARTICLE I

The Council

1. The Contracting Governments hereby establish within the framework of the Food and Agriculture Organisation of the United Nations (hereinafter referred to as the Organisation) a Council to be known as the General Fisheries Council for the Mediterranean (hereinafter referred to as the Council), for the purpose of exercising the functions and discharging the responsibilities set forth in Article IV below.

2. The Members of the Council shall be such Member Nations and Associate Members of the Organisation and such non-Member Nations of the Organisation that are Members of the United Nations, which accept this Agreement in accordance with the provisions of Article IX below, it being understood that these provisions shall not affect the membership status in the Council of such nations that are not Members of the United Nations as may have become parties to this Agreement prior to 22 May 1963. As regards Associate Members, this Agreement shall, in accordance with the provisions of Article XIV —5 of the Constitution(2) and Rule XXI—3 of the General Rules of the Organisation, be submitted by the Organisation to the authority having responsibility for the international relations of such Associate Members.

ARTICLE II

Organisation

1. Each Member shall be represented at sessions of the Council by one delegate, who may be accompanied by an alternate and by experts and advisers. Participation in meetings of the Council by alternates, experts, and advisers shall not entail the right to vote, except in the case of an alternate who is acting in the place of a delegate during his absence.

2. Each Member shall have one vote. Decisions of the Council shall be taken by a majority of the votes cast, except as otherwise provided by this Agreement. A majority of the total membership of the Council shall constitute a quorum.

3. The Council shall elect a Chairman and two Vice-Chairmen.

(2) Page 99.

4. The Chairman of the Council shall normally convene a regular session of the Council at least once every two years unless otherwise directed by a majority of the Members. The site and date of all sessions shall be determined by the Council in consultation with the Director-General of the Organisation.

5. The seat of the Council shall be at the Headquarters of the Organisation in Rome.

6. The Organisation shall provide the Secretariat for the Council and the Director-General shall appoint its Secretary, who shall be administratively responsible to him.

7. The Council may, by a two-thirds majority of its membership, adopt and amend its own Rules of Procedure which shall be consistent with the General Rules of the Organisation. The Rules of the Council and any amendments thereto shall come into force as from the date of approval by the Director-General of the Organisation, subject to confirmation by the Council of the Organisation.

ARTICLE III

Committees, Working Parties and Specialists

1. The Council may establish temporary, special or standing committees to study and report on matters pertaining to the purposes of the Council and working parties to study and recommend on specific technical problems.

2. The committees and working parties referred to in paragraph 1 above shall be convened by the Chairman of the Council at such times and places as are determined by the Chairman in consultation with the Director-General of the Organisation.

3. The Council may suggest to the Organisation the recruitment or appointment of specialists at the expense of the Organisation, for the consideration of specific questions or problems.

4. The establishment of committees and working parties referred to in paragraph 1 above and the recruitment or appointment of specialists referred to in paragraph 3 above, shall be subject to the availability of the necessary funds in the relevant

chapter of the approved budget of the Organisation ; the determination of such availability shall be made by the Director-General of the Organisation. Before taking any decision involving expenditures in connection with the establishment of committees and working parties and the recruitment or appointment of specialists, the Council shall have before it a report from the Director-General of the Organisation on the administrative and financial implications thereof.

ARTICLE IV

Functions

The Council shall have the following functions and responsibilities:

(*a*) to formulate all oceanographical and technical aspects of the problems of development and proper utilisation of aquatic resources ;

(*b*) to encourage and co-ordinate research and the application of improved methods employed in fishery and allied industries with a view to the utilisation of aquatic resources ;

(*c*) to assemble, publish, or disseminate all oceanographical and technical information relating to aquatic resources ;

(*d*) to recommend to Members such national and international research and development projects as may appear necessary or desirable to fill gaps in such knowledge ;

(*e*) to undertake, where appropriate, co-operative research and development projects directed to this end ;

(*f*) to propose, and where necessary to adopt, measures to bring about the standardisation of scientific equipment, techniques and nomenclature ;

(*g*) to make comparative studies of fishery legislation with a view to making recommendations to its Members respecting the greatest possible co-ordination ;

(*h*) to encourage research into the hygiene and prevention of occupational diseases of fishermen ;

(*i*) to extend its good offices in assisting Members to secure essential materials and equipment ;

(*j*) to report upon such questions relating to all oceanographical and technical problems as may be recommended to it

by Members or by the Organisation and, if it thinks proper to do so, by other international, national or private organisations with related interests;

(*k*) to transmit, every two years, to the Director-General of the Organisation, a report embodying its views, recommendations and decisions, and make such other reports to the Director-General of the Organisation as may seem to it necessary or desirable. Reports of the committees and working parties of the Council provided for in Article III of this Agreement shall be transmitted to the Director-General of the Organisation through the Council.

ARTICLE V

Region

The Council shall carry out the functions and responsibilities set forth in Article IV in the region as referred to in the Preamble.

ARTICLE VI

Co-operation with International Organisations

The Council shall co-operate closely with other international organisations in matters of mutual interest.

ARTICLE VII

Expenses

1. The expenses of delegates and their alternates, experts and advisers occasioned by attendance at sessions of the Council and the expenses of representatives sent to committees or working parties established in accordance with Article III of this Agreement shall be determined and paid by their respective governments.

2. The expenses of the Secretariat, including publications and communications and the expenses incurred by the Chairman and Vice-Chairmen of the Council, when performing duties on behalf of the Council between Council sessions, shall be determined and paid by the Organisation within the limits of the relevant appropriations provided for in the budget of the Organisation.

3. The expenses of research and development projects undertaken by individual Members of the Council, whether independently or upon recommendation of the Council, shall be determined and paid by the governments concerned.

4. The expenses incurred in connection with co-operative research or development projects undertaken in accordance with the provisions of Article IV, paragraphs (*d*) and (*e*) unless otherwise available shall be determined and paid by the Members in the form and proportion to which they shall mutually agree. Co-operative projects shall be submitted to the Council of the Organisation prior to implementation. Contributions for co-operative projects shall be paid into a trust fund to be established by the Organisation and shall be administered by the Organisation in accordance with the Financial Regulations and rules of the Organisation.

5. The expenses of experts invited, with the concurrence of the Director-General, to attend meetings of the Council, committees or working parties in their individual capacity shall be borne by the budget of the Organisation.

ARTICLE VIII

Amendments

The General Fisheries Council for the Mediterranean may amend this Agreement by a two-thirds majority of all the Members of this Council, any amendment becoming effective only after concurrence of the Council of the Organisation unless the latter considers it desirable to refer the amendment to the Conference of the Organisation for approval. An amendment shall become effective as from the date of the decision of the Council or Conference of the Organisation, as appropriate. However, any amendment involving new obligations for Members shall come into force with respect to each Member only on acceptance of it by that Member. The instruments of acceptance of amendments involving new obligations shall be deposited with the Director-General of the Organisation who shall inform all the Members of the General Fisheries Council for the Mediterranean, as well as the Secretary-General of the United Nations, of the receipt of acceptances and the entry into force of such amendments. The rights and obligations of any Member of the General Fisheries Council for the Mediterranean that has not accepted an amendment involving

additional obligations shall continue to be governed by the provisions of this Agreement as they stood prior to the amendment.

ARTICLE IX

Acceptance

1. This Agreement shall be open to acceptance by Member Nations or Associate Members of the Organisation.

2. The Council may, by a two-thirds majority of its membership, admit to membership such other nations that are Members of the United Nations as have submitted an application for membership and a declaration made in a formal instrument that they accept this Agreement as in force at the time of admission.

3. Participation in the activities of the Council by Members of the Council which are not Members or Associate Members of the Organisation shall be contingent upon the assumption of such proportionate share in the expenses of the Secretariat as may be determined in the light of the relevant provisions of the Financial Regulations of the Organisation.

4. Acceptance of this Agreement by any Member Nation or Associate Member of the Organisation shall be effected by the deposit of an instrument of acceptance with the Director-General of the Organisation and shall take effect on receipt of such instrument by the Director-General.

5. Acceptance of this Agreement by non-member nations of the Organisation shall be effected by the deposit of an instrument of acceptance with the Director-General of the Organisation. Membership shall become effective on the date on which the Council approves the application for membership in conformity with the provisions of paragraph 2 of this Article.

6. The Director-General of the Organisation shall inform all Members of the Council, all Member Nations of the Organisation and the Secretary-General of the United Nations of all acceptances that have become effective.

7. Acceptance of this Agreement may be made subject to reservations which shall become effective only upon unanimous approval by the Members of the Council. The Director-General of the Organisation shall notify forthwith all Members

of the Council of any reservations. Members of the Council not having replied within three months from the date of the notification shall be deemed to have accepted the reservation. Failing such approval, the nation making the reservation shall not become a party to this Agreement.

ARTICLE X

Entry into force

This Agreement shall enter into force as from the date of receipt of the fifth instrument of acceptance(3).

ARTICLE XI

Territorial Application

The Members of the Council shall, when accepting this Agreement, state explicitly to which territories their participation shall extend. In the absence of such a declaration, participation shall be deemed to apply to all the territories for the international relations of which the Member is responsible. Subject to the provisions of Article XII below, the scope of the territorial application may be modified by a subsequent declaration.

ARTICLE XII

Withdrawal

1. Any Member may withdraw from this Agreement at any time after the expiration of two years from the date upon which the Agreement entered into force with respect to that Member, by giving written notice of such withdrawal to the Director-General of the Organisation who shall immediately inform all the Members of the Council and the Member Nations of the Organisation of such withdrawal. Notice of withdrawal shall become effective three months from the date of its receipt by the Director-General.

2. A Member of the Council may give notice of withdrawal with respect to one or more of the territories for the international relations of which it is responsible. When a Member gives notice of its own withdrawal from the Council it shall state to which territory or territories the withdrawal is to

(3) The Agreement entered into force on 20th February, 1952.

apply. In the absence of such a declaration, the withdrawal shall be deemed to apply to all the territories for the international relations of which the Member of the Council is responsible, with the exception of Associate Members.

3. Any Member of the Council that gives notice of withdrawal from the Organisation shall be deemed to have simultaneously withdrawn from the Council, and this withdrawal shall be deemed to apply to all the territories for the international relations of which the Member concerned is responsible, except that such withdrawal shall not be deemed to apply to an Associate Member.

ARTICLE XIII

Interpretation and Settlement of Disputes

Any dispute regarding the interpretation or application of this Agreement, if not settled by the Council, shall be referred to a committee composed of one member appointed by each of the parties to the dispute, and in addition an independent chairman chosen by the members of the committee. The recommendations of such a committee, while not binding in character, shall become the basis for renewed consideration by the parties concerned of the matter out of which the disagreement arose. If as the result of this procedure the dispute is not settled, it shall be referred to the International Court of Justice in accordance with the Statute of the Court([4]), unless the parties to the dispute agree to another method of settlement.

ARTICLE XIV

Termination

This Agreement shall be automatically terminated if and when, as the result of withdrawals, the number of Members of the Council drops below five, unless the remaining Members unanimously decide otherwise.

ARTICLE XV

Certification and Registration

The text of this Agreement was originally formulated at Rome on the 24th day of September 1949([5]) in the French language.

([4]) Vol. 145, page 832.
([5]) Vol. 154, page 694.

Two copies in the English, French and Spanish languages of this Agreement as amended on the 22nd day of May, 1963, by the First Special Session of the General Fisheries Council for the Mediterranean, shall after approval by the Council or Conference of the Organisation, as appropriate, be certified by the Chairman of the Conference or Council of the Organisation and by the Director-General of the Organisation. One of these copies shall be deposited in the archives of the Organisation. The other copy shall be transmitted to the Secretary-General of the United Nations for registration. In addition, the Director-General shall certify copies of this Agreement and transmit one copy to each Member Nation of the Organisation and to such non-member nations of the Organisation that have or may become parties to this Agreement.

ACCEPTANCES

Country	*Date*
France	July 8, 1952
Greece	April 7, 1952
Israel	February 20, 1952
Italy	May 29, 1950
Lebanon	November 14, 1960
Libya	May 13, 1963
Monaco	May 14, 1954
Morocco	September 17, 1956
Spain	October 19, 1953
Tunisia	June 22, 1954
Turkey	April 6, 1954
United Arab Republic	February 19, 1951
United Kingdom	November 20, 1950
Yugoslavia	October 12, 1951

AGREEMENT on the Status of Forces of Parties to the North Atlantic Treaty.—London, 19th June, 1951(1)

ACCESSION

Federal Republic of Germany ... 1st June, 1963

EXTENSION

Isle of Man 1st March, 1962 (effective date)

(1) Vol. 159, page 331.

INTERNATIONAL CONVENTION for the Unification of Certain Rules relating to Penal Jurisdiction in Matters of Collision or other Incidents of Navigation.—Brussels, 10th May, 1952[1]

ACCESSION

Nigeria[2]	7th November, 1963

EXTENSIONS[2]

Bermuda	30th May, 1963
British Guiana, Fiji, Gibraltar, Hong Kong, Mauritius, North Borneo, Seychelles ...	29th March, 1963

(1) Vol. 159, page 364.
(2) With reservations.

AGREEMENT on German External Debts.—London, 27th February, 1953[1]

ACCESSION

Chile	15th October, 1963

(1) Vol. 160, page 245.

PROTOCOLS modifying and extending the Brussels Treaty of 17th March, 1948,[1] **to include the Federal Republic of Germany and Italy.—Paris, 23rd October, 1954**[2]

PROTOCOL NO. III ON THE CONTROL OF ARMAMENTS

On 9th October, 1963, the Council of Western European Union agreed to the following amendment to the Protocol:

Sub-paragraph (*c*) of paragraph V of Annex III to Protocol No. III, as amended by the Resolutions of 24th May, 1961 and 19th October, 1962[3], is replaced by the following text:

"(*c*) Submarines of more than 450 tons displacement with the exception of six submarines, the displacement of which shall not exceed 1,000 tons."

(1) Vol. 150, page 672.
(2) Vol. 161, page 433.
(3) Vol. 166, page 674.

INTERNATIONAL CONVENTION for the Protection of Industrial Property.—Lisbon, 31st October, 1958[1]

(Translation)

The German Federal Republic, Australia, Austria, Belgium, United States of Brazil, People's Republic of Bulgaria, Canada, Cuba, Denmark, Dominican Republic, Spain, United States of America, Finland, France, United Kingdom of Great Britain and Northern Ireland, People's Republic of Hungary, Indonesia, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Morocco, Mexico, Monaco, Norway, New Zealand, Netherlands, People's Republic of Poland, Portugal, People's Republic of Rumania, Federation of Rhodesia and Nyasaland, Sweden, Switzerland, Czechoslovak Republic, Turkey, Union of South Africa, Vietnam, People's Republic of Yugoslavia,

Being unanimously moved by the desire to protect in as effective and uniform a manner as possible industrial property rights,

Judged it opportune to make certain modifications and additions to the International Convention of March 20, 1883[2], establishing the International Union for the Protection of Industrial Property, revised at Brussels on December 14, 1900[3], at Washington on June 2, 1911[4], at The Hague on November 6, 1925[5], and at London on June 2, 1934[6],

Resolved to send representatives to the Diplomatic Conference which took place at Lisbon from October 6 to 31, 1958,

And have agreed as follows:

ARTICLE 1

(1) The countries to which the present Convention applies constitute themselves into a Union for the protection of industrial property.

(1) Treaty Series No. 38 (1962) (Cmnd. 1715).
(2) Vol. 74, page 44. The Convention was signed in Paris.
(3) Vol. 90, page 807.
(4) Vol. 104, page 116.
(5) Vol. 121, page 899.
(6) Vol. 139, page 758.

(2) The protection of industrial property is concerned with patents, utility models, industrial designs, trademarks, service marks, trade names, and indications of source or appellations of origin, and the repression of unfair competition.

(3) Industrial property shall be understood in the broadest sense and shall apply not only to industry and commerce proper, but likewise to agricultural and extractive industries and to all manufactured or natural products; for example, wines, grain, tobacco leaf, fruit, cattle, minerals, mineral waters, beer, flowers, and flour.

(4) The term "patents" shall include the various kinds of industrial patents recognised by the laws of the countries of the Union, such as patents of importation, patents of improvement, patents and certificates of addition, etc.

ARTICLE 2

(1) Nationals of each of the countries of the Union shall, as regards the protection of industrial property, enjoy in all the other countries of the Union the advantages that their respective laws now grant, or may hereafter grant, to nationals, without prejudice to the rights specially provided by the present Convention. Consequently, they shall have the same protection as the latter, and the same legal remedy against any infringement of their rights, provided they observe the conditions and formalities imposed upon nationals.

(2) However, no condition as to the possession of a domicile or establishment in the country where protection is claimed may be required of persons entitled to the benefits of the Union for the enjoyment of any industrial property rights.

(3) The provisions of the laws of each of the countries of the Union relating to judicial and administrative procedure and to jurisdiction, and to the election of domicile or the designation of an agent, which may be required by the laws on industrial property, are expressly reserved.

ARTICLE 3

Nationals of countries not forming part of the Union, who are domiciled or who have real and effective industrial or commercial establishments in the territory of one of the countries of the Union, are treated in the same manner as nationals of the countries of the Union.

ARTICLE 4

A.—(1) A person who has duly filed an application for a patent, or for the registration of a utility model, or of an industrial design, or of a trademark, in one of the countries of the Union, or his successors in title, shall enjoy, for the purpose of filing in the other countries, a right of priority during the periods hereinafter stated.

(2) Every filing that is equivalent to a regular national filing under the domestic law of any country of the Union or under bilateral or multilateral treaties concluded between countries of the Union shall be recognised as giving rise to a right of priority.

(3) By a regular national filing is meant any filing that is adequate to establish the date on which the application was filed in the country concerned, whatever may be the outcome of the application.

B.—Consequently, the subsequent filing in any of the other countries of the Union before the expiration of those periods shall not be invalidated through any acts accomplished in the interval, as, for instance, by another filing, by publication or exploitation of the invention, by the putting on sale of copies of the design or model, or by use of the mark, and these acts cannot give rise to any right of third parties, or of any personal possession. Rights acquired by third parties before the date of the first application which serves as the basis for the right of priority are reserved under the domestic legislation of each country of the Union.

C.—(1) The above-mentioned periods of priority shall be twelve months for patents and ultility models, and six months for industrial designs and for trademarks.

(2) These periods shall start from the date of filing of the first application ; the day of filing shall not be included in the period.

(3) If the last day of the period is an official holiday, or a day when the Office is not open for the filing of applications in the country where protection is claimed, the period shall be extended until the first following working day.

(4) A subsequent application for the same subject as a previous first application within the meaning of paragraph (2) above and filed in the same country of the Union, shall be considered as the first application, of which the filing date shall be the starting point of the period of priority, provided that, at the time of filing the subsequent application, the previous application has been withdrawn, abandoned or refused, without being open to public inspection and without leaving any rights outstanding, and has not served as a basis for claiming a right of priority. The previous application may not thereafter serve as a basis for claiming a right of priority.

D.—(1) Any person desiring to take advantage of the priority of a previous filing shall be required to make a declaration indicating the date of such filing and the country in which it was made. Each country will determine the latest permissible date for making such declaration.

(2) These particulars shall be mentioned in the publications issued by the competent authority, and in particular in the patents and the specifications relating thereto.

(3) The countries of the Union may require any person making a declaration of priority to produce a copy of the application (specification, drawings, etc.) previously filed. The copy, certified as correct by the authority which received the application, shall not require any authentication, and may in any case be filed, without fee, at any time within three months of the filing of the subsequent application. They may require it to be accompanied by a certificate from the same authority showing the date of filing, and by a translation.

(4) No other formalities may be required for the declaration of priority at the time of filing the application. Each of the countries of the Union shall decide what consequences shall follow the omission of the formalities prescribed by the present Article, but such consequences shall in no case go beyond the loss of the right of priority.

(5) Subsequently, further proof may be required.

A person who avails himself of the priority of a previously filed application shall be required to specify the number of that application, which shall be published under the conditions provided for by paragraph (2) above.

E.—(1) Where an industrial design is filed in a country by virtue of a right of priority based on the filing of a utility model, the period of priority shall be only that fixed for industrial designs.

(2) Furthermore, it is permissible to file a utility model in a country by virtue of a right of priority based on the filing of a patent application, and vice versa.

F.—No country of the Union may refuse a priority or a patent application on the ground that the applicant claims multiple priorities, even originating in different countries, or on the ground that an application claiming one or more priorities contains one or more elements that were not included in the original application or applications whose priority is claimed, provided that, in both cases, there is unity of invention within the meaning of the law of the country.

With respect to the elements not included in the original application or applications whose priority is claimed, the filing of the later application shall give rise to a right of priority under the usual conditions.

G.—(1) If examination reveals that an application for a patent contains more than one invention, the applicant may divide the application into a certain number of divisional applications and preserve as the date of each the date of the initial application and the benefit of the right of priority, if any.

(2) The applicant may also, on his own initiative, divide a patent application and preserve as the date of each divisional application the date of the initial application and the benefit of the right of priority, if any. Each country of the Union shall have the right to determine the conditions under which such division shall be authorised.

H.—Priority may not be refused on the ground that certain elements of the invention for which priority is claimed do not appear among the claims formulated in the application in the country of origin, provided that the application documents as a whole specifically disclose such elements.

ARTICLE 4*bis*

(1) Patents applied for in the various countries of the Union by persons entitled to the benefits of the Union shall be

independent of patents obtained for the same invention in other countries, whether members of the Union or not.

(2) This provision is to be understood in an unrestricted sense, in particular, in the sense that patents applied for during the period of priority are independent, both as regards the grounds for invalidation and for forfeiture and as regards their normal duration.

(3) The provision shall apply to all patents existing at the time when it comes into effect.

(4) Similarly, it shall apply, in the case of the accession of new countries, to patents in existence on either side at the time of accession.

(5) Patents obtained with the benefit of priority shall have in the various countries of the Union a duration equal to that which they would have had if they had been applied for or granted without the benefit of priority.

ARTICLE 4*ter*

The inventor shall have the right to be mentioned as such in the patent.

ARTICLE 4*quater*

The grant of a patent shall not be refused and a patent shall not be invalidated on the ground that the sale of the patented product or of a product obtained by means of the patented process is subject to restrictions or limitations resulting from the domestic law.

ARTICLE 5

A.—(1) The importation by the patentee into the country where the patent has been granted of articles manufactured in any of the countries of the Union shall not entail forfeiture of the patent.

(2) Each country of the Union shall have the right to take legislative measures providing for the grant of compulsory licences to prevent the abuses which might result from the exclusive rights conferred by the patent, for example, failure to work.

(3) Forfeiture of the patent shall not be prescribed except in cases where the grant of compulsory licences would not have been sufficient to prevent such abuses. No proceeding for the forfeiture or revocation of a patent may be instituted before the expiration of two years from the grant of the first compulsory licence.

(4) An application for a compulsory licence may not be made on the ground of failure to work or insufficient working before the expiration of a period of four years from the date of filing of the patent application or three years from the date of the grant of the patent, whichever period last expires ; it shall be refused if the patentee justifies his inaction by legitimate reasons. Such a compulsory licence shall be non-exclusive and shall not be transferable, even in the form of the grant of a sub-licence, except with that part of the enterprise or goodwill using such licence.

(5) The foregoing provisions shall be applicable, *mutatis mutandis,* to utility models.

B.—The protection of industrial designs shall not, under any circumstances, be liable to any forfeiture either by reason of failure to work or by reason of the importation of articles corresponding to those which are protected.

C.—(1) If, in any country, the use of a registered trademark is compulsory, the registration shall not be cancelled until after a reasonable period, and then only if the person concerned cannot justify his inaction.

(2) The use of a trademark by the proprietor in a form differing in elements which do not alter the distinctive character of the mark in the form in which it was registered in one of the countries of the Union, shall not entail invalidation of the registration and shall not diminish the protection granted to the mark.

(3) The concurrent use of the same mark on identical or similar goods by industrial or commercial establishments considered as co-proprietors of the mark according to the provisions of the national law of the country where protection is claimed shall not prevent the registration or diminish in any way the protection granted to the mark in any country of the

Union, provided the use does not result in misleading the public and is not contrary to the public interest.

D.—No indication or mention of the patent, of the utility model, of the registration of the trademark, or of the deposit of the industrial design shall be required upon the product as a condition of recognition of the right to protection.

ARTICLE 5*bis*

(1) A period of grace of not less than six months shall be allowed for the payment of the prescribed fees for the maintenance of industrial property rights, subject to the payment of a surcharge, if the domestic law so provides.

(2) The countries of the Union shall have the right to provide for the restoration of patents which have lapsed by reason of non-payment of fees.

ARTICLE 5*ter*

In each of the countries of the Union the following shall not be considered as infringements of the rights of a patentee:

1. The use on board vessels of other countries of the Union of devices forming the subject of his patent in the body of the vessel, in the machinery, tackle, gear and other accessories, when such vessels temporarily or accidentally enter the waters of a country, provided that such devices are used there exclusively for the needs of the vessel.
2. The use of devices forming the subject of the patent in the construction or operation of aircraft or land vehicles of other countries of the Union, or of accessories to such aircraft or land vehicles, when those aircraft or land vehicles temporarily or accidentally enter the country.

ARTICLE 5*quater*

When a product is imported into a country of the Union where there exists a patent protecting a process of manufacture of the said product, the patentee shall have all the rights, with regard to the imported product, as are accorded to him by the domestic law of the country of importation, on the basis of the process patent, with respect to products manufactured in that country.

ARTICLE 5*quinquies*

Industrial designs shall be protected in all the countries of the Union.

ARTICLE 6

(1) The conditions for the filing and registration of trademarks shall be determined in each country of the Union by its domestic law.

(2) However, an application for the registration of a trademark filed by a national of a country of the Union in any country of the Union may not be refused nor may a registration be cancelled on the ground that filing, registration or renewal has not been effected in the country of origin.

(3) A mark duly registered in a country of the Union shall be regarded as independent of marks registered in the other countries of the Union, including the country of origin.

ARTICLE 6*bis*

(1) The countries of the Union undertake, either administratively if their legislation so permits, or at the request of an interested party, to refuse or to cancel the registration and to prohibit the use of a trademark which constitutes a reproduction, imitation or translation liable to create confusion of a mark considered by the competent authority of the country of registration or use to be well-known in that country as being already the mark of a person entitled to the benefits of the present Convention and used for identical or similar goods. These provisions shall also apply when the essential part of the mark constitutes a reproduction of any such well-known mark or an imitation liable to create confusion therewith.

(2) A period of at least five years from the date of registration shall be allowed for seeking the cancellation of such a mark. The countries of the Union may provide for a period within which the prohibition of use must be sought.

(3) No time limit shall be fixed for seeking the cancellation or the prohibition of the use of marks registered or used in bad faith.

ARTICLE 6*ter*

(1) (*a*) The countries of the Union agree to refuse or to invalidate the registration, and to prohibit by appropriate measures the use, without authorisation by the competent authorities, either as trademarks or as elements of trademarks, of armorial bearings, flags and other State emblems of the countries of the Union, official signs and hall-marks indicating control or warranty adopted by them and all imitations thereof from a heraldic point of view.

(*b*) The provisions of sub-paragraph (*a*) above apply equally to armorial bearings, flags and other emblems, abbreviations or titles of international intergovernmental organisations of which one or more countries of the Union are Members, with the exception of armorial bearings, flags and other emblems, abbreviations or titles that are already the subject of existing international agreements intended to ensure their protection.

(*c*) No country of the Union shall be required to apply the provisions of sub-paragraph (*b*) above to the prejudice of the owners of rights acquired in good faith before the entry into force in that country of the present Convention. The countries of the Union shall not be required to apply the said provisions when the use or registration covered by sub-paragraph (*a*) above is not of such a nature as to suggest to the public that a connection exists between the organisation concerned and the armorial bearings, flags, emblems, abbreviations or titles, or if such use or registration is clearly not of a nature to mislead the public as to the existence of a connection between the user and the organisation.

(2) The prohibition of the use of official signs and hall-marks indicating control and warranty shall apply solely in cases where the marks which contain them are intended to be used on goods of the same or a similar kind.

(3) (*a*) For the application of these provisions, the countries of the Union agree to communicate reciprocally, through the International Bureau, the list of State emblems and official signs and hall-marks, indicating control and warranty which they desire, or may thereafter desire, to place wholly or within certain limits under the protection of the present Article and all subsequent modifications of this list. Each country of the Union shall

in due course make available to the public the lists so communicated.

Nevertheless, this communication is not obligatory so far as the flags of States are concerned.

(*b*) The provisions of sub-paragraph (*b*) of paragraph (1) of this Article shall only apply to armorial bearings, flags and other emblems, abbreviations or titles of international intergovernmental organisations that the latter have communicated to the countries of the Union through the International Bureau.

(4) Any country of the Union may, within a period of twelve months from the receipt of the communication, transmit through the International Bureau its objections, if any, to the country or international intergovernmental organisation concerned.

(5) In the case of State flags, the measures prescribed by paragraph 1 above shall apply solely to marks registered after November 6, 1925.

(6) In the case of State emblems other than flags, and of official signs and hall-marks of the countries of the Union and in the case of armorial bearings, flags and other emblems, abbreviations or titles of international intergovernmental organisations, these provisions shall be applicable only to marks registered more than two months after the receipt of the communication provided for in paragraph (3) above.

(7) In cases of bad faith the countries shall have the right to cancel the registraton of marks that contain State emblems, signs or hall-marks even though registered before November 6, 1925.

(8) Nationals of each country who are authorised to make use of State emblems, signs or hall-marks of their country, may use them even though they are similar to those of another country.

(9) The countries of the Union undertake to prohibit the unauthorised use in trade of the State armorial bearings of the other countries of the Union, when the use is of such a nature as to be misleading as to the origin of the goods.

(10) The above provisions shall not prevent the countries from exercising the power given in paragraph (3) of Article 6*quinquies* B, to refuse or to cancel the registration of marks

containing, without authorisation the armorial bearings, flags, and other State emblems or official signs or hall-marks adopted by a country of the Union as well as the distinctive signs of international intergovernmental organisations mentioned in paragraph (1) of this Article.

ARTICLE 6*quater*

(1) When in accordance with the law of a country of the Union, the assignment of a mark is valid only if it takes place at the same time as the transfer of the business or goodwill to which the mark belongs, it shall suffice for the recognition of this validity that the portion of the business or goodwill situated in that country be transferred to the assignee, together with the exclusive right to manufacture or sell there the goods bearing the mark assigned.

(2) This provision does not impose upon the countries of the Union any obligation to regard as valid the assignment of any mark the use of which by the assignee would, in fact, be of such a nature as to mislead the public, particularly as regards the origin, nature or material qualities of the goods to which the mark is applied.

ARTICLE 6*quinquies*

A.—(1) Every trademark duly registered in the country of origin shall be accepted for filing and protected in its original form in the other countries of the Union, subject to the reservations indicated in the present Article. These countries may, before proceeding to final registration, require the production of a certificate of registration in the country of origin, issued by the competent authority. No authentication shall be required for this certificate.

(2) The country of the Union where the applicant has a real and effective industrial or commercial establishment, or, if he has not such an establishment within the Union, the Union country where he has his domicile or if he has no domicile in the Union, the country of his nationality if he is a national of a Union country, shall be considered his country of origin.

B.—Trademarks under the present Article may not be denied registration or invalidated except in the following cases:

1. when they are of such a nature as to infringe rights acquired by third parties in the country where protection is claimed ;

2. when they are devoid of distinctive character, or consist exclusively of signs or indications which may serve in trade to designate the kind, quality, quantity, intended purpose, value, place of origin of the goods or time of production, or have become customary in the current language or in the bona fide and established practices of the trade in the country where protection is claimed ;

3. when they are contrary to morality or public order and, in particular, of such a nature as to deceive the public. It is understood that a mark may not be considered contrary to public order for the sole reason that it does not conform to a provision of the law relating to trademarks, except where such provision itself relates to public order.

The above is, however, subject to Article 10^{bis}.

C.—(1) To determine whether a mark is eligible for protection, all the circumstances of the case must be taken into consideration, particularly the length of time the mark has been in use.

(2) Trademarks shall not be refused in the other countries of the Union for the sole reason that they differ from the marks protected in the country of origin only by elements that do not alter the distinctive character and do not affect the identity of the marks in the form in which these have been registered in the said country of origin.

D.—No person may benefit from the provisions of the present Article if the mark for which he claims protection is not registered in the country of origin.

E.—However, in no case shall the renewal of the registration of a mark in the country of origin involve the obligation to renew the registration in the other Union countries where the mark has been registered.

F.—The benefits of priority shall be accorded to applications for the registration of marks filed within the period fixed by Article 4, even when registration in the country of origin does not occur until after the expiration of such period.

ARTICLE 6*sexies*

The countries of the Union undertake to protect service marks. They shall not be required to provide for the registration of such marks.

ARTICLE 6*septies*

(1) If the agent or representative of the person who is the proprietor of a mark in one of the countries of the Union applies, without such proprietor's authorisation, for the registration of the mark in his own name in one or more Union countries, the proprietor shall be entitled to oppose the registration applied for or demand its cancellation or, if the law of the country so allows, the assignment in his favour of the said registration, unless such agent or representative justifies his action.

(2) The proprietor of the mark shall, subject to the reservations of paragraph (1) above, be entitled to oppose the use of the mark by his agent or representative if he has not authorised such use.

(3) Domestic laws may provide an equitable time limit within which the proprietor of a mark must assert the rights provided for in the present Article.

ARTICLE 7

The nature of the goods to which a trademark is to be applied shall in no case form an obstacle to the registration of the mark.

ARTICLE 7*bis*

(1) The countries of the Union undertake to accept for filing and to protect collective marks belonging to associations the existence of which is not contrary to the law of the country of origin, even if such associations do not possess an industrial or commercial establishment.

(2) Each country shall be the judge of the particular conditions under which a collective mark shall be protected and may refuse protection if the mark is contrary to the public interest.

(3) Nevertheless, the protection of these marks shall not be refused to any association the existence of which is not contrary to the law of the country of origin, on the ground that such association is not established in the country where protection is sought or is not constituted according to the law of the latter country.

ARTICLE 8

A trade name shall be protected in all the countries of the Union without the obligation of filing or registration, whether or not it forms part of a trademark.

ARTICLE 9

(1) All goods unlawfully bearing a trademark or trade name shall be seized on importation into those countries of the Union where such mark or name has a right to legal protection.

(2) Seizure shall likewise be effected in the country where the unlawful application occurred or in the country into which the goods have been imported.

(3) Seizure shall take place at the request either of the public prosecutor or of any other competent authority or of any interested party, whether a natural or a juridical person, in conformity with the domestic law of each country.

(4) The authorities shall not be found to effect seizure in transit.

(5) If the law of a country does not permit seizure on importation, such seizure shall be replaced by prohibition of importation or by seizure within such country.

(6) If the law of a country permits neither seizure on importation nor prohibition of importation nor seizure within the country, then, until such time as the law is modified accordingly, these measures shall be replaced by the actions and remedies available in such cases to nationals under the law of such country.

ARTICLE 10

(1) The provisions of the preceding Article shall apply in cases of direct or indirect use of a false indication of the source of the product or the identity of the producer, manufacturer or trader.

(2) Any producer, manufacturer or trader, whether a natural or juridical person, engaged in the production or manufacture of, or trade in such goods and established either in the locality falsely indicated as the source or in the district where this locality is situated, or in the country falsely indicated, or in the country where the false indication of source is used, shall in any case be deemed an interested party.

ARTICLE 10*bis*

(1) The countries of the Union are bound to assure to persons entitled to the benefits of the Union effective protection against unfair competition.

(2) Any act of competition contrary to honest practices in industrial or commercial matters constitutes an act of unfair competition.

(3) The following in particular shall be prohibited:

1. all acts of such a nature as to create confusion by any means whatever with the establishment, the goods, or the industrial or commercial activities of a competitor;

2. false allegations in the course of trade of such a nature as to discredit the establishment, the goods, or the industrial or commercial activities of a competitor.

3. indications or allegations the use of which in the course of trade is liable to mislead the public as to the nature, the manufacturing process, the characteristics, the suitability for their purpose or the quantity of the goods.

ARTICLE 10*ter*

(1) The countries of the Union undertake to assure to nationals of the other countries of the Union appropriate legal remedies to repress effectively all the acts referred to in Articles 9, 10 and 10*bis*.

(2) They undertake, further, to provide measures to permit syndicates and associations which represent the industrialists, producers or traders concerned and the existence of which is not contrary to the laws of their countries, to take action in the Courts or before the administrative authorities, with a view to the repression of the acts referred to in Articles 9, 10 and 10*bis*,

in so far as the law of the country in which protection is claimed allows such action by the syndicates and associations of that country.

ARTICLE 11

(1) The countries of the Union shall in conformity with their domestic law, grant temporary protection to patentable inventions, utility models, industrial designs and trademarks, in respect of goods exhibited at official or officially recognised international exhibitions held in the territory of one of them.

(2) This temporary protection shall not extend the periods provided by Article 4. If later the right of priority is invoked, each country may provide that the period shall start from the date of introduction of the goods into the exhibition.

(3) Each country may require, as proof of the identity of the article exhibited and of the date of its introduction, such evidence as it considers necessary.

ARTICLE 12

(1) Each of the countries of the Union undertakes to establish a special industrial property service and a central office for the communication to the public of patents, utility models, industrial designs, and trademarks.

(2) This agency shall publish an official periodical journal. It shall publish regularly:

(*a*) the names of the proprietors of patents granted, with a brief description of the inventions patented;

(*b*) reproductions of trademarks registered.

ARTICLE 13

(1) The international office established under the name International Bureau for the Protection of Industrial Property is placed under the high authority of the Government of the Swiss Confederation, which regulates its organisation and supervises its operation.

(2) (*a*) The French and English languages shall be used by the International Bureau in performing the tasks provided for in paragraphs (3) and (5) of this Article.

(*b*) The conferences and meetings referred to in Article 14 shall be held in the French, English and Spanish languages.

(3) The International Bureau centralises information of every kind relating to the protection of industrial property and compiles and publishes it. It undertakes studies of general utility concerning the Union and edits, with the help of documents supplied to it by the various Administrations, a periodical journal dealing with questions relating to the objects of the Union.

(4) The issues of this journal, as well as all the documents published by the International Bureau, shall be distributed to the Administrations of the countries of the Union in proportion to the number of contributing units mentioned below. Additional copies as may be requested, either by the said Administrations or by companies or private persons, shall be paid for separately.

(5) The International Bureau shall at all times hold itself at the disposition of the countries of the Union, to supply them with any special information they may need on questions relating to the international industrial property service. The Director of the International Bureau shall make an annual report on his administration, which shall be communicated to all the countries of the Union.

(6) The ordinary expenditure of the International Bureau shall be borne by the countries of the Union in common. Until further authorisation, it shall not exceed the sum of 120,000 Swiss francs per annum. This sum may be increased, when necessary, by a unanimous decision of one of the conferences provided for in Article 14.

(7) Ordinary expenditure does not include expenses relating to the work of the conferences of plenipotentiaries or administrative conferences nor the expenses caused by special work or publications effected in conformity with the decisions of a conference. Such expenses, the annual total of which may not exceed 20,000 Swiss francs, shall be divided among the countries of the Union in proportion to their contributions towards the operation of the International Bureau in accordance with the provisions of paragraph (8) below.

(8) To determine the contribution of each country to this total expenditure, the countries of the Union and those which

may afterwards join the Union are divided into six classes, each contributing in the proportion of a certain number of units, namely:

First class	25	Units
Second class	20	„
Third class	15	„
Fourth class	10	„
Fifth class	5	„
Sixth class	3	„

These coefficients are multiplied by the number of countries in each class, and the sum of the products thus obtained gives the number of units by which the total expenditure is to be divided. The quotient gives the amount of the unit of expense.

(9) Each of the countries of the Union shall, at the time it becomes a member, designate the class in which it wishes to be placed. However, any country of the Union may declare later that it desires to be placed in another class.

(10) The Government of the Swiss Confederation will supervise the expenditure of the International Bureau and its accounts and will make the necessary advances.

(11) The annual account rendered by the International Bureau shall be communicated to all the other Administrations.

ARTICLE 14

(1) The present Convention shall be submitted to periodical revision with a view to the introduction of amendments designed to improve the system of the Union.

(2) For this purpose conferences shall be held successively in one of the countries of the Union between the delegates of the said countries.

(3) The Administration of the country in which the conference is to be held shall make preparations for the work of the conference, with the assistance of the International Bureau.

(4) The Director of the International Bureau shall be present at the meetings of the conferences, and take part in the discussions, but without the right of voting.

(5) (*a*) During the interval between the Diplomatic Conferences of revision, Conferences of representatives of all the countries of the Union shall meet every three years in order

to draw up a report on the foreseeable expenditure of the International Bureau for each three-year period to come and to consider questions relating to the protection and development of the Union.

(*b*) Furthermore, they may modify, by unanimous decision, the maximum annual amount of the expenditure of the International Bureau, provided they meet as Conferences of Plenipotentiaries of all the countries of the Union, convened by the Government of the Swiss Confederation.

(*c*) Moreover, the Conferences provided for in paragraph (*a*) above may be convened between their triennial meetings by either the Director of the International Bureau or the Government of the Swiss Confederation.

ARTICLE 15

It is understood that the countries of the Union reserve the right to make separately between themselves special arrangements for the protection of industrial property, in so far as these arrangements do not contravene the provisions of the present Convention.

ARTICLE 16

(1) Countries which are not parties to the present Convention shall be permitted to accede to it at their request.

(2) Any such accession shall be notified through displomatic channels to the Government of the Swiss Confederation, and by it to all the other Governments.

(3) Accession shall automatically entail acceptance of all the clauses and admission to all the advantages of the present Convention and shall take effect one month after the despatch of the notification by the Government of the Swiss Confederation to the other countries of the Union, unless a subsequent date is indicated in the request for accession.

ARTICLE 16*bis*

(1) Any country of the Union may at any time notify in writing the Government of the Swiss Confederation that the present Convention is applicable to all or part of its colonies, protectorates, territories under mandate or any other territories subject to its authority, or any territories under its sovereignty,

and the Convention shall apply to all the territories named in the notification one month after the despatch of the communication by the Government of the Swiss Confederation to the other countries of the Union unless a subsequent date is indicated in the notification. Failing such a notification, the Convention shall not apply to such territories.

(2) Any country of the Union may at any time notify in writing the Government of the Swiss Confederation that the present Convention ceases to be applicable to all or part of the territories that were the subject of the notification under the preceding paragraph, and the Convention shall cease to apply in the territories named in the notification twelve months after the receipt of the notification addressed to the Government of the Swiss Confederation.

(3) All notifications sent to the Government of the Swiss Confederation in accordance with the provisions of paragraphs (1) and (2) of the present Article shall be communicated by that Government to all the countries of the Union.

ARTICLE 17

Any country party to this Convention undertakes to adopt, in accordance with its constitution, the measures necessary to ensure the application of this Convention.

It is understood that at the time an instrument of ratification or accession is deposited on behalf of a country, such country will be in a position under its domestic law to give effect to the provisions of this Convention.

ARTICLE 17*bis*

(1) The Convention shall remain in force for an indefinite time, until the expiration of one year from the date of its denunciation.

(2) Such denunciation shall be addressed to the Government of the Swiss Confederation. It shall affect only the country in whose name it is made, the Convention remaining in operation as regards the other countries of the Union.

ARTICLE 18

(1) The present Act shall be ratified and the instruments of ratification deposited in Berne not later than May 1, 1963. It

shall come into force, between the countries in whose names it has been ratified, one month after that date. However, if before that date it is ratified in the name of at least six countries, it shall come into force between those countries one month after the deposit of the sixth ratification has been notified to them by the Government of the Swiss Confederation(7), and for countries in whose name it is ratified at a later date, one month after the notification of each such ratification.

(2) Countries in whose names no instrument of ratification has been deposited within the period referred to in the preceding paragraph shall be permitted to accede under the terms of Article 16.

(3) The present Act shall, as regards the relations between the countries to which it applies, replace the Convention of Paris of 1883 and the subsequent Acts of revision.

(4) As regards the countries to which the present Act does not apply, but to which the Convention of Paris revised at London in 1934 applies, the latter shall remain in force.

(5) Similarly, as regards countries to which neither the present Act nor the Convention of Paris revised at London apply, the Convention of Paris revised at The Hague in 1925 shall remain in force.

(6) Similarly, as regards countries to which neither the present Act nor the Convention of Paris revised at London, nor the Convention of Paris revised at The Hague apply, the Convention of Paris revised at Washington in 1911 shall remain in force.

ARTICLE 19

(1) The present Act shall be signed in a single copy in the French language, which shall be deposited in the archives of the Government of the Swiss Confederation. A certified copy shall be forwarded by the latter to each of the Governments of the countries of the Union.

(2) The present Act shall remain open for signature by the countries of the Union until April 30, 1959.

(3) Official translations of the present Act shall be established in the English, German, Italian, Portuguese and Spanish languages.

(7) The Convention came into force on January 4, 1962.

In witness whereof the undersigned Plenipotentiaries, after presenting their full powers, have signed the present Act.

Done at Lisbon on October 31, 1958.

[Signed on behalf of Austria, Belgium, Brazil, Cuba, Czechoslovakia, Denmark, Finland, France, Federal Republic of Germany, Hungary, Irish Republic, Israel, Italy, Japan, Liberia, Liechtenstein, Luxembourg, Monaco, Morocco, Netherlands, New Zealand, Norway, Poland, Portugal, Rhodesia and Nyasaland, Rumania, Spain, Sweden, Switzerland, Turkey, United Kingdom, United States of America and Yugoslavia.]

RATIFICATIONS

Cuba	17th January, 1963
Czechoslovakia	12th August, 1961
France(8)	24th March, 1961
Federal Republic of Germany(9)	28th July, 1961
Monaco	10th October, 1961
Federation of Rhodesia and Nyasaland	21st March, 1963
Switzerland	17th January, 1963
United Kingdom	6th September, 1961
United States of America ...	4th December, 1961

ACCESSIONS

Algeria	1st March, 1966
Argentina	10th February, 1967
Belgium	21st August, 1965
Bulgaria	28th March, 1966
Cameroon(10)	10th May, 1964
Central African Republic ...	19th November, 1963
Chad	19th November, 1963
Congo (Brazzaville)	2nd August, 1963
Cyprus	17th January, 1966
Dahomey	20th January, 1967
Gabon	29th February, 1964

(8) Including all territories of French Republic.
(9) Including Land Berlin.
(10) Does not recognise and will not be bound by any decision in respect of Southern Rhodesia.

Germany (Eastern)[11] ...	23rd September, 1964
Haiti	17th January, 1961
Hungary	23rd March, 1967
Iran	10th September, 1960
Republic of Ireland	9th June, 1967
Israel	18th July, 1966
Ivory Coast	23rd October, 1963
Japan	21st August, 1965
Kenya	14th June, 1965
Laos	19th November, 1963
Madagascar	21st December, 1963
Malawi[12]	6th July, 1964
Malta	20th October, 1967
Mauritania	11th April, 1965
Mexico	10th May, 1964
Morocco	15th May, 1967
Niger	5th July, 1964
Nigeria	2nd August, 1963
Norway	10th May, 1964
Philippines	27th September, 1965
Rumania	19th November, 1963
Senegal	21st December, 1963
South Africa	17th April, 1965
Southern Rhodesia	6th April, 1965
Soviet Union	1st July, 1965
Tanganyika	2nd April, 1963
Togo[12]	10th September, 1967
Trinidad and Tobago	1st August, 1964
Uganda	14th June, 1965
Upper Volta	19th November, 1963
Uruguay	18th March, 1967
Yugoslavia	11th April, 1965
Zambia	6th April, 1965

EXTENSIONS

Guam, Puerto Rico, Samoa, Virgin Islands (U.S.)[13] ...	7th July, 1963
Bahamas	20th October, 1967

(11) Not recognised by the United Kingdom Government.
(12) Confirmation of obligations.
(13) Covers 1911, 1925 and 1934 revisions of Paris Agreement.

CONVENTION establishing the European Free Trade Association.—Stockholm, 4th January, 1960[1]

The following amendments were made by decision of the Council of the European Free Trade Association at the 16th Meeting (1963) of the Council, held on 10th May, 1963[2]:

DECISION NO. 6 OF 1963

Amendment to paragraph 2 of Article 3 of the Convention

1. The following dates and percentages in sub-paragraph (*a*) of paragraph 2 of Article 3 of the Convention:

" 1st January, 1966—40 per cent.
1st January, 1967—30 per cent.
1st January, 1968—20 per cent.
1st January, 1969—10 per cent."

shall be replaced by:

" 31st December, 1963—40 per cent.
31st December, 1964—30 per cent.
31st December, 1965—20 per cent."

2. The date of 1st January, 1970, in sub-paragraph (*b*) of paragraph 2 of Article 3 of the Convention shall be replaced by the date of 31st December, 1966.

DECISION NO. 7 OF 1963

Amendments to paragraphs 2 and 3 of Article 10 of the Convention

1. The date of 31st December, 1969, in paragraph 2 of Article 10 of the Convention shall be replaced by the date of 31st December, 1966.

2. The date of 1st January, 1970, in paragraph 3 of Article 10 of the Convention shall be replaced by the date of 1st January, 1967.

DECISION NO. 10 OF 1963

Amendment to paragraph 1 of Article 14 of the Convention

The date of 31st December, 1969, in paragraph 1 of Article 14 of the Convention shall be replaced by the date of 31st December, 1966.

(1) Vol. 164, page 411.
(2) Treaty Series No. 72 (1963) (Cmnd. 2158).

COMMUNIQUE of the Ministerial Council Meeting of the European Free Trade Association.—Geneva, 19th February, 1963[1]

The Ministerial Council met in Geneva on 18th and 19th February under the Chairmanship of Mr. Correia de Oliveira, Portuguese Minister of State.

The Lord Privy Seal informed the Ministers of the circumstances in which the Members of the European Economic Community had been prevented from continuing the negotiation with the United Kingdom[2], Ministers took note of this and regretted the setback which this meant in achieving the economic integration of Europe. They reaffirmed their aim, as declared in the Preamble of the Stockholm Convention[3], of working together to promote the creation of a large unified European market which would be outward-looking towards the rest of the world.

For the present, however, the Association's task must be to provide a further stimulus to trade by pursuing the dismantlement of barriers between the Members. This was important not only in the interest of creating a wide and flourishing market among themselves but also in order to provide a strong base from which to play their full part in the development of multilateral trade throughout the world.

Accordingly, the Ministers agreed on the broad lines of EFTA's future development. They instructed the permanent representatives to prepare a programme of action to be put into effect after consideration and decision by a further Ministerial meeting. This mandate extends to all the fields of action covered by the Stockholm Convention, and includes in particular the revision of the remainder of the timetable for tariff reductions providing for the more rapid dismantlement of tariffs with their final elimination during 1966. Similarly the mandate covers the arrangements relating to trade in agricultural goods and fishery products, and co-operation between Member States on economic and technical matters.

Desiring to contribute to the liberalisation of international trade, the EFTA countries will support all practical proposals

(1) EFTA *Bulletin*, March, 1963, page 4.
(2) *See* Vol. 166, pages 594 and 921.
(3) Vol. 164, page 411.

designed to increase world trade. They will participate actively in the tariff negotiations which are due to take place within the framework of the GATT.

The EFTA Council will meet again at Ministerial level on 9th and 10th May in Lisbon.

COMMUNIQUE of the Eighth Meeting of the Council of the South-East Asia Treaty Organisation.—Paris, 10th April, 1963

The SEATO Council held its Eighth Meeting in Paris from April 8 to 10, 1963, under the chairmanship of Monsieur Maurice Couve de Murville, Minister of Foreign Affairs of France. The inaugural address was delivered by the Prime Minister of France, Monsieur Georges Pompidou.

The Council held an exchange of views on the international situation with special reference to developments in the Treaty area. It reaffirmed that the main aim of the Manila Pact[1] is to ensure the peaceful development, economic stability and national independence of the countries within the area. The Council expressed concern over the continuing and widening threats to the security of such countries while reaffirming their determination to maintain vigilance.

The subversive campaign against Viet-Nam has been considered. The Council took note of information given by some delegations indicating that considerable progress has been achieved in the fight against this subversion and that one may expect a new improvement in the situation thanks to the efforts made by the Government of Viet-Nam, who were able to stem rebellion. The Council hopes that Viet-Nam, with the support given to it, would be in a position to maintain its advance towards internal stability and international security.

The Council reiterated its support for the cause of a neutral and independent Laos under a Government of National Union. It expressed the hope that those who have the responsibility in Laos and also the signatories of the Geneva Accords[2] will succeed in ensuring the maintenance of peace, neutrality and national unity which the people of Laos so earnestly desire.

(1) Vol. 161, page 365.
(2) Vol. 166, page 720.

The members of the Council took note of their agreement on a revised procedure for taking decisions within the organisation which will improve its work and increase its efficiency.

They also took note of some decisions taken since their last meeting by members of the organisation, in particular the joint Thai-United States statement of March 6, 1962[3], and the deployment in Thailand in May, 1962, of troops from some member countries[4]. They deemed that these facts could increase the capability of such countries to comply with their obligations.

The Council emphasised that the development of effective measures to prevent and counter subversion continues to be a major task facing the member countries. It noted the steps taken during the past year to deal with this problem.

The Council affirmed its continued support for the principle of collective security.

The Council noted with satisfaction that the military advisers and the military planning office have revised and refined the plans for defensive action, in the light of changing conditions and anticipated situations.

The Council examined the operation of the continuing series of military exercises, and agreed that the body of experience gained in working together was a valuable asset to the alliance for any possible defensive action the member nations might be called upon to undertake in combination.

The Council welcomed an announcement by a Council member for Australia of arrangements made by his Government with the Royal Thai Government for the establishment of a military rebuild workshop for the major repair and maintenance in Thailand of Thai military and Government vehicles.

The Council expressed satisfaction at the progress achieved by member countries in the sphere of economic development, and agreed that continuing advance in this field is essential to the security of the treaty area.

The Council expressed approval of the various civil projects undertaken by the organisation:

(3) Page 375.
(4) *See* Vol. 166, page 716.

(1) The Community Development Project, inaugurated in November of last year, in conjunction with the nation-wide plan of the Thai Government. This project is designed to decentralise the problem by setting up regional centres which analyse the actual conditions and train experts to meet the needs of the people of specific areas. Aid from the government and from other member nations can thus reach the people directly.

(2) Skilled labour projects in Pakistan, Thailand and the Phillippines which are designed to provide training for the workers in developing societies. Two new schools are being opened in Pakistan early this year. In Thailand, 19 schools are now training some 5,500 students in technical, electrical, electronic and other skills. An apprenticeship programme in the Philippines has proved successful in fitting workers for industrial jobs.

(3) The Graduate School of Engineering in Bangkok. This advanced engineering school fills a regional need which has not been met by other means. Enrolment is open to students of various countries from the region, whether members of SEATO or not.

(4) The SEATO Meteorological Telecommunications Project, linking Bangkok and Manila, which is scheduled for completion within two years.

The Council noted with satisfaction the work of the SEATO cholera research laboratory in East Pakistan, and the SEATO general medical laboratory in Thailand. These scientific investigatory institutions have been given the task of discovering means to combat disease in the treaty area, and thus to improve the well-being of the people.

The Council welcomed the proposed establishment of a SEATO clinical research centre at the school of graduate studies of the University of Medical Sciences at Bangkok. The main objective of the proposed new centre is to gain further knowledge concerning the effects of diseases ; its functions are to include professional training, education and research.

The Council noted the continuing cultural interchange among member nations, and agreed that SEATO's role in this activity should be continued. The organisation provides undergraduate

scholarships, graduate scholarships, fellowships and professorships, and sponsors educational conferences.

The Council noted with approval the recent conference which studied the equivalence of university credits, so that scholars may more easily transfer from one country to another in furtherance of their studies.

The Council appointed Mr. Pote Sarasin for a further period of two years to terminate at a suitable date after the conclusion of the Council meeting of 1965.

The Council expressed appreciation to the Secretary-General, Mr. Pote Sarasin, and his staff for their outstanding services to the organisation.

The Council expressed its gratitude to the Government of France for its hospitality and the excellent arrangements made for the conference. The meeting voted warm thanks to the Chairman, Monsieur Maurice Couve de Murville.

The Council accepted with pleasure the invitation of the Government of the Philippines to hold its next meeting in Manila[5] in view of the tenth anniversary in 1964 of the signing in Manila in 1954 of the South-East Asia Collective Defence Treaty.

[5] *See* page 532.

RESOLUTIONS amending the Convention of the World Meteorological Organisation[1], adopted by the Fourth Congress of the Organisation.—Geneva, 1st–27th April 1963[2]

RESOLUTION 1(*Cg–IV*)—AMENDMENT TO ARTICLE 13 OF THE CONVENTION OF THE WORLD METEOROLOGICAL ORGANISATION*

The Congress,

Considering,

(1) That the number of Members of the World Meteorological Organisation has considerably increased ;

[1] Vol. 148, page 741. The Convention was signed at Washington on 11th October, 1947.

[2] Treaty Series No. 27 (1964) (Cmnd. 2376).

* This resolution replaces that published in Vol. 164, page 113, which is no longer in force.

(2) The advisability of having on the Executive Committee wider consultation, thus not only improving the representation of the Regions, but also increasing the number of the directors of meteorological services taking an active part in the operation of the Organisation ;

(3) The prevailing practice in other specialised agencies of the United Nations ;

Decides,

(1) That the text of Article 13 of the Convention of the World Meteorological Organisation be replaced by the following:

ARTICLE 13†

Composition

The Executive Committee shall consist of:

(*a*) The President and the Vice-Presidents of the Organisation ;

(*b*) The presidents of regional associations who can be replaced at sessions by their alternates, as provided for in the General Regulations ;

(*c*) Twelve directors of meteorological services of Members of the Organisation, who can be replaced at sessions by alternates, provided:

(i) That these alternates shall be as provided for in the General Regulations ;

(ii) That not more than seven and not less than two members of the Executive Committee, comprising the President and Vice-Presidents of the Organisation, the presidents of regional associations and the twelve elected directors shall come from one Region, this Region being determined in the case of each member in accordance with the General Regulations.

(2) That this amendment come into force on 11 April 1963.

† This Article was later renumbered 12—see following amendments.

RESOLUTION 2(*Cg–IV*)—AMENDMENTS TO THE CONVENTION OF THE WORLD METEOROLOGICAL ORGANISATION

The Congress,

Noting,

(1) Resolution 4(Cg–III) ;

(2) Resolution 1(Cg–IV) ;

Considering that the Convention of the World Meteorological Organisation as the principal working instrument of the World Meteorological Organisation, should be kept up to date in order that its efficiency may not be impaired ;

Having examined the amendments proposed by Members in accordance with the provisions of Article 28(*a*) of the Convention and by the Executive Committee ;

Decides,

(1) To approve the amendments to the Convention of the World Meteorological Organisation listed in the Annex to this Resolution ;

(2) That these amendments come into force on 27 April 1963.

ANNEX

1. Amend the English text only of Article 2—Purposes, paragraph (*b*) to read:

(*b*) To promote the establishment and maintenance of systems for the rapid exchange of meteorological information ;

2. Amend Part V—Eligibility, Article 5, to read :

PART V—*Officers of the Organisation and members of the Executive Committee*

ARTICLE 5

(*a*) Eligibility for election to the offices of President and Vice-Presidents of the Organisation, of President and Vice-President of the Regional Associations, and for membership, subject to the provisions of Article 12(*c*)(ii) of the Convention, of the Executive Committee shall be confined to persons who

are designated as the Directors of their Meteorological Service by the Members of the Organisation for the purpose of this Convention.

(*b*) In the performance of their duties, all officers of the Organisation and members of the Executive Committee shall act as representatives of the Organisation and not as representatives of particular Members thereof.

3. Amend Article 6—Composition, to read :

ARTICLE 6

Composition

(*a*) The Congress is the general assembly of delegates representing Members and as such is the supreme body of the Organisation.

(*b*) Each Member shall designate one of its delegates, who should be the Director of its Meteorological Service, as its principal delegate at Congress.

(*c*) With a view to securing the widest possible technical representation, any Director of a Meteorological Service or any other individual may be invited by the President to be present and to participate in the discussions of the Congress in accordance with the provisions of the General Regulations (hereinafter referred to as " Regulations ").

4. Amend Article 7—Functions, to read:

ARTICLE 7

Functions

In addition to functions set out in other Articles of the Convention, the primary duties of the Congress shall be :

(*a*) To determine general policies for the fulfilment of the purposes of the Organisation as set forth in Article 2 ;

(*b*) To make recommendations to Members on matters within the purposes of the Organisation ;

(*c*) To refer to any body of the Organisation any matter within the provisions of the Convention upon which such a body is empowered to act ;

(*d*) To determine regulations prescribing the procedures of the various bodies of the Organisation, and in particular, the General, Technical, Financial and Staff Regulations ;

(*e*) To consider the reports and activities of the Executive Committee and to take appropriate action in regard thereto ;

(*f*) To establish Regional Associations in accordance with the provisions of Article 17 ; to determine their geographical limits, co-ordinate their activities, and consider their recommendations ;

(*g*) To establish Technical Commissions in accordance with the provisions of Article 18 ; to define their terms of reference, co-ordinate their activities, and consider their recommendations ;

(*h*) To determine the location of the Secretariat of the Organisation ;

(*i*) To elect the President and Vice-Presidents of the Organisation, and members of the Executive Committee other than the Presidents of the Regional Associations.

Congress may also take any other appropriate action on matters affecting the Organisation.

5. Amend Article 10—Voting, to read :

ARTICLE 10

Voting

(*a*) In a vote in Congress each Member shall have one vote. However, only Members of the Organisation which are States (hereinafter referred to as " Members which are States "), shall be entitled to vote or to take a decision on the following subjects :

(1) Amendment or interpretation of the Convention or proposals for a new Convention ;

(2) Requests for Membership of the Organisation ;

(3) Relations with the United Nations and other intergovernmental organisations ;

(4) Election of the President and Vice-Presidents of the Organisation and of the members of the Executive Committee other than the Presidents of the Regional Associations.

(*b*) Decisions shall be by a two-thirds majority of the votes cast for and against, except that elections of individuals to serve in any capacity in the Organisation shall be by simple majority of the votes cast. The provisions of this paragraph, however, shall not apply to decisions taken in accordance with Articles 3, 24, 25 and 27 of the Convention.

6. Amend Article 11—Quorum, to read:

ARTICLE 11

Quorum

The presence of delegates of a majority of the Members shall be required to constitute a quorum for meetings of the Congress. For those meetings of the Congress at which decisions are taken on the subjects enumerated in paragraph (*a*) of Article 10, the presence of delegates of a majority of the Members which are States shall be required to constitute a quorum.

7. Delete Article 12—First meeting of the Congress.

8. Renumber Article 13 as amended by Resolution 1(Cg–IV) to read: Article 12—Composition.

9. Amend Article 14—Functions, to read:

ARTICLE 13

Functions

The Executive Committee is the executive body of the Organisation.

In addition to functions set out in other Articles of the Convention, the primary functions of the Executive Committee shall be:

(*a*) To implement the decisions taken by the Members of the Organisation either in Congress or by means of correspondence and to conduct the activities of the Organisation in accordance with the intention of such decisions;

(*b*) To consider and, where necessary, take action on behalf of the Organisation on resolutions and recommendations of Regional Associations and Technical Commissions in accordance with the procedures laid down in the Regulations;

(*c*) To provide technical information, counsel, and assistance in the field of meteorology ;

(*d*) To study and make recommendations on any matter affecting international meteorology and the operation of Meteorological Services ;

(*e*) To prepare the agenda for the Congress and to give guidance to the Regional Associations and Technical Commissions in the preparation of their agenda ;

(*f*) To report on its activities to each session of Congress ;

(*g*) To administer the finances of the Organisation in accordance with the provisions of Part XI of the Convention.

The Executive Committee may also perform such other functions as may be conferred on it by the Congress or by Members collectively.

10. Amend Article 15—Meetings, to read:

ARTICLE 14

Sessions

(*a*) The Executive Committee shall normally hold a session at least once a year, at a place and on a date to be determined by the President of the Organisation, after consultation with other members of the Committee.

(*b*) An extraordinary session of the Executive Committee shall be convened according to the procedures contained in the Regulations, after receipt by the Secretary-General of requests from a majority of the members of the Executive Committee. Such a session may also be convened by agreement between the President and the two Vice-Presidents of the Organisation.

11. Renumber Article 16—Voting, to read: Article 15—Voting.

12. Amend Article 17—Quorum, to read:

ARTICLE 16

Quorum

The presence of two-thirds of the members shall be required to constitute the quorum for meetings of the Executive Committee.

13. Renumber Article 18 to read Article 17 and similarly renumber all articles up to 22 inclusive.

14. Amend Part XI—Finances, Article 23 to read:

PART XI—*Finances*

ARTICLE 22

(*a*) The Congress shall determine the maximum expenditure which may be incurred by the Organisation on the basis of the estimates submitted by the Secretary-General, after prior examination by, and with the recommendations of, the Executive Committee.

(*b*) The Congress shall delegate to the Executive Committee such authority as may be required to approve the annual expenditures of the Organisation within the limitations determined by the Congress.

15. Amend Part XII—Relations with the United Nations, Article 25, to read:

PART XII—*Relations with the United Nations*

ARTICLE 24

The Organisation shall be in relationship to the United Nations pursuant to Article 57 of the Charter of the United Nations[3]. Any agreement concerning such relationship shall require approval by two-thirds of the Members which are States.

16. Amend Part XIII—Relations with other organisations, Article 26, to read:

PART XIII—*Relations with other organisations*

ARTICLE 25

(*a*) The Organisation shall establish effective relations and co-operate closely with such other intergovernmental organisations as may be desirable. Any formal agreement entered into with such organisations shall be made by the Executive Committee, subject to approval by two-thirds of the Members which are States, either in Congress or by correspondence.

[3] Vol. 145, page 805.

(*b*) The Organisation may on matters within its purposes make suitable arrangements for consultation and co-operation with non-governmental international organisations and, with the consent of the government concerned, with national organisations, governmental or non-governmental.

(*c*) Subject to approval by two-thirds of the Members which are States, the Organisation may take over from any other international organisation or agency, the purpose and activities of which lie within the purposes of the Organisation, such functions, resources, and obligations as may be transferred to the Organisation by international agreement or by mutually acceptable arrangements entered into between competent authorities of the respective organisations.

17. To amend Part XIV—Legal Status, Privileges and Immunities, to read:

PART XIV—*Legal status, privileges and immunities*

ARTICLE 26

(*a*) The Organisation shall enjoy in the territory of each Member such legal capacity as may be necessary for the fulfilment of its purposes and for the exercise of its functions.

(*b*) (i) The organisation shall enjoy in the territory of each Member to which the present Convention applies such privileges and immunities as may be necessary for the fulfilment of its purposes and for the exercise of its functions;

(*b*) (ii) Representatives of Members, officers and officials of the Organisation as well as members of the Executive Committee shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organisation.

(*c*) In the territory of any Member which is a State and which has acceded to the Convention on the Privileges and Immunities of the Specialised Agencies adopted by the General Assembly of the United Nations on 21 November 1947 such legal capacity, privileges and immunities shall be those defined in the said Convention.

18. Renumber all remaining Articles, Article 28 as Article 27, Article 29 as Article 28, etc.

FINAL COMMUNIQUE of the Eleventh Session of the Central Treaty Organisation Ministerial Council.—Karachi, 1st May, 1963

The Eleventh Session of the Ministerial Council of the Central Treaty Organisation[1] was held in Karachi on April 30 and May 1, 1963. The delegations from countries participating in this meeting were led by:

H.E. Mr. Abbas Aram—Foreign Minister of Iran.

H.E. Mr. Zulfikar Ali Bhutto—Minister for External Affairs, Pakistan.

H.E. Mr. Feridun Cemal Erkin—Foreign Minister of Turkey.

The Right Honourable The Earl of Home, K.T.—Secretary of State for Foreign Affairs, United Kingdom.

The Honourable Dean Rusk—Secretary of State, United States of America.

The Minister of External Affairs of Pakistan, as host, was in the Chair.

The Session was inaugurated by a message of welcome from the President of Pakistan, Field Marshal Mohammed Ayub Khan, which was read by Mr. Bhutto.

The Council of Ministers expressed profound regret at the untimely death of Mr. Mohammed Ali and paid tribute to the outstanding contributions he had made to his country in particular, and the free world in general. They also expressed pleasure at the presence of Mr. Bhutto at his first CENTO Ministerial Council Meeting since becoming Minister for External Affairs of Pakistan.

The Council of Ministers then reviewed the international situation in their traditional free and frank manner. While recognising the serious dangers and problems to be overcome before there could be any real prospect of a reduction in world tension, they reiterated the determination of their Governments to explore all means of achieving the aim of promoting peace and security. The ultimate objective was world disarmament, with clear, specific, and adequate safeguards. Meanwhile, the alliance, in pursuance of its aims, must exercise constant vigilance, firmness and restraint, fortified by the mutual support and encouragement of the participating countries.

(1) Vol. 162, page 183.

The Council stressed the importance of continuing economic development and social progress in the region. They noted with satisfaction, from the report of the Economic Committee, the progress in CENTO joint communications projects, on which about twelve thousand persons were currently employed. In particular, they were pleased to note that the development of the port of Trabzon had recently been completed, thereby providing an improved outlet for regional trade. Good progress had been made in the development of the Turkish–Iran road link, which should be open to traffic by the end of the year. In the field of telecommunications, the Council took note of the good progress being made with the microwave system and the CENTO Airway navigational aid project, both of which will link the three countries of the region and should be completed by the first half of next year. Since the Council met last, the completion of the high frequency system linking London and CENTO capitals had been extended to Pakistan.

In considering the report of the Military Committee, the Council took note of suggestions for further improving the defensive value of the alliance. By maintaining its strength the alliance would continue to play its part in the general efforts toward the solution of world problems.

The Council further agreed that the gathering momentum of the multilateral technical co-operation and the cultural relations programmes made a valuable contribution to the development of the region and to better understanding among the peoples.

The Council found their consultations invaluable both for assessing world and regional problems and for taking stock of the achievements of the alliance.

The Council decided that the next Ministerial meeting should be held in Washington in early 1964.

PROTOCOL No. 2 to the Convention for the Protection of Human Rights and Fundamental Freedoms, signed at Rome on 4th November, 1950.—Strasbourg, 6th May, 1963[1]

The member States of the Council of Europe signatory hereto:

(1) *Miscellaneous* No. 12 (1963) (Cmnd. 2126).

Having regard to the provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms signed at Rome on 4th November 1950(2) (hereinafter referred to as the Convention) and, in particular, Article 19 instituting, among other bodies, a European Court of Human Rights (hereinafter referred to as the Court):

Considering that it is expedient to confer upon the Court competence to give advisory opinions subject to certain conditions:

Have agreed as follows:

ARTICLE 1

1. The Court may, at the request of the Committee of Ministers, give advisory opinions on legal questions concerning the interpretation of the Convention and the Protocols thereto.

2. Such opinions shall not deal with any question relating to the content or scope of the rights or freedoms defined in Section 1 of the Convention and in the Protocols thereto, or with any other question which the Commission, the Court or the Committee of Ministers might have to consider in consequence of any such proceedings as could be instituted in accordance with the Convention.

3. Decisions of the Committee of Ministers to request an advisory opinion of the Court shall require a two-thirds majority vote of the representatives entitled to sit on the Committee.

ARTICLE 2

The Court shall decide whether a request for an advisory opinion submitted by the Committee of Ministers is within its consultative competence as defined in Article 1 of this Protocol.

ARTICLE 3

1. For the consideration of requests for an advisory opinion, the Court shall sit in plenary session.

2. Reasons shall be given for advisory opinions of the Court.

3. If an advisory opinion does not represent in whole or in part the unanimous opinion of the judges, any judge shall be entitled to deliver a separate opinion.

(2) Vol. 156, page 915.

4. Advisory opinions of the Court shall be communicated to the Committee of Ministers.

ARTICLE 4

The powers of the Court under Article 55 of the Convention shall extend to the drawing up of such rules and the determination of such procedure as the Court may think necessary for the purposes of this Protocol.

ARTICLE 5

1. This Protocol shall be open to signature by member States of the Council of Europe, signatories to the Convention, who may become Parties to it by:

(*a*) signature without reservation in respect of ratification or acceptance ;

(*b*) signature with reservation in respect of ratification or acceptance, followed by ratification or acceptance.

Instruments of ratification or acceptance shall be deposited with the Secretary-General of the Council of Europe.

2. This Protocol shall enter into force as soon as all States Parties to the Convention shall have become Parties to the Protocol, in accordance with the provisions of paragraph 1 of this Article.

3. From the date of the entry into force of this Protocol, Articles 1 to 4 shall be considered an integral part of the Convention.

4. The Secretary-General of the Council of Europe shall notify the member States of the Council of:

(*a*) any signature without reservation in respect of ratification or acceptance ;

(*b*) any signature with reservation in respect of ratification or acceptance ;

(*c*) the deposit of any instrument of ratification or acceptance ;

(*d*) the date of entry into force of this Protocol in accordance with paragraph 2 of this Article.

In witness whereof, the undersigned, being duly authorised thereto, have signed this Protocol.

Done at Strasbourg, this 6th day of May 1963, in English and in French, both texts being equally authoritative, in a single copy which shall remain deposited in the archives of the Council of Europe. The Secretary-General shall transmit certified copies to each of the signatory States.

[Signed on behalf of the United Kingdom, Austria(3), Belgium(3), Denmark, Federal Republic of Germany(3), Iceland(3), Ireland(3), Italy(3), Luxembourg(3), Malta(3), Netherlands(3), Norway(3), Sweden(3), and Turkey(3).]

RATIFICATIONS OR ACCEPTANCES

Austria	29th May, 1967
Iceland	16th November, 1967
Ireland	12th September, 1963
Italy	3rd April, 1967
Luxembourg	27th October, 1965
Malta	23rd January, 1967
Netherlands (including Surinam and Netherlands Antilles)	11th November, 1966
Norway	12th June, 1964
Sweden	13th June, 1964
Turkey	25th March, 1968

(3) Subject to ratification or acceptance.

PROTOCOL No. 3 amending the Convention for the Protection of Human Rights and Fundamental Freedoms, signed at Rome on November 4, 1950.—Strasbourg, 6th May, 1963(1)

The member States of the Council of Europe, signatories to this Protocol,

Considering that it is advisable to amend certain provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms signed at Rome on 4th November 1950(2) (hereinafter referred to as the Convention) concerning the procedure of the European Commission of Human Rights,

Have agreed as follows:

(1) *Miscellaneous* No. 13 (1963) (Cmnd. 2127).
(2) Vol. 156, page 915.

ARTICLE 1

1. Article 29 of the Convention is deleted.

2. The following provision shall be inserted in the Convention:

"*Article 29*

After it has accepted a petition submitted under Article 25, the Commission may nevertheless decide unanimously to reject the petition if, in the course of its examination, it finds that the existence of one of the grounds for non-acceptance provided for in Article 27 has been established.

In such a case, the decision shall be communicated to the parties."

ARTICLE 2

In Article 30 of the Convention, the word "Sub-Commission" shall be replaced by the word "Commission".

ARTICLE 3

1. At the beginning of Article 34 of the Convention, the following shall be inserted:

"Subject to the provisions of Article 29 . . ."

2. At the end of the same Article, the sentence "the Sub-Commission shall take its decisions by a majority of its members" shall be deleted.

ARTICLE 4

1. This Protocol shall be open to signature by the member States of the Council of Europe, who may become Parties to it either by:

(*a*) signature without reservation in respect of ratification or acceptance, or

(*b*) signature with reservation in respect of ratification or acceptance, followed by ratification or acceptance.

Instruments of ratification or acceptance shall be deposited with the Secretary-General of the Council of Europe.

2. This Protocol shall enter into force as soon as all States Parties to the Convention shall have become Parties to the Protocol, in accordance with the provisions of paragraph 1 of this Article.

3. The Secretary-General of the Council of Europe shall notify the member States of the Council of:

(*a*) any signature without reservation in respect of ratification or acceptance ;

(*b*) signature with reservation in respect of ratification or acceptance ;

(*c*) the deposit of any instrument of ratification or acceptance ;

(*d*) the date of entry into force of this Protocol in accordance with paragraph 2 of this Article.

In witness whereof, the undersigned, being duly authorised thereto, have signed this Protocol.

Done at Strasbourg, this 6th day of May 1963, in English and in French, both texts being equally authoritative, in a single copy which shall remain deposited in the archives of the Council of Europe. The Secretary-General shall transmit certified copies to each of the signatory States.

[Signed on behalf of the United Kingdom, Austria(3), Belgium(3), Denmark, Federal Republic of Germany(3), Greece, Iceland(3), Ireland(3), Italy(3), Luxembourg(3), Malta(3), Netherlands(3), Norway(3), Sweden(3), and Turkey(3).]

RATIFICATIONS OR ACCEPTANCES

Austria	29th May, 1967
Iceland	16th November, 1967
Ireland	12th September, 1963
Italy	3rd April, 1967
Luxembourg	27th October, 1965
Malta	23rd January, 1967
Netherlands (including Surinam and Netherlands Antilles)	11th October, 1966
Norway	12th June, 1964
Sweden	13th June, 1964
Turkey	25th March, 1968

(3) Subject to ratification or acceptance.

AMENDMENT to Article 26 of the Statute of the Council of Europe[1].—Strasbourg, 6th May, 1963[2]

An Amendment to Article 26 of the Statute of the Council of Europe was approved by the Committee of Ministers and by the Consultative Assembly on May 6, 1963. The Amendment came into force on May 6, 1963, and the text in English is given below[3]:

" Members shall be entitled to the number of Representatives given below:

Austria	6
Belgium	7
Cyprus	3
Denmark	5
France	18
Federal Republic of Germany	18
Greece	7
Iceland	3
Ireland	4
Italy	18
Luxembourg	3
Netherlands	7
Norway	5
Sweden	6
Switzerland	6
Turkey	10
United Kingdom of Great Britain and Northern Ireland	18 "

(1) Vol. 154, page 509.
(2) Treaty Series No. 81 (1963) (Cmnd. 2195).
(3) This supersedes an earlier amendment to Article 26, which was published in Vol. 166, page 313.

COMMUNIQUE of the Ministerial Council Meeting of the European Free Trade Association.—Lisbon, 11th May, 1963[1]

The Ministerial Council of the European Free Trade Association met in Lisbon on 9th, 10th and 11th May under the chairmanship of Mr. Correia de Oliveira, Portuguese Minister of State.

(1) EFTA *Bulletin*, May 1963, page 3.

Ministers decided to establish a final timetable for the dismantling of tariffs on industrial products. They agreed that these tariffs should be eliminated by 31st December 1966. They took note of the wish of the Austrian Government to reserve the possibility of referring to the Council certain specific problems that might arise for Austria from the new timetable. The next ten per cent reduction will take place on 31st December, 1963, thus bringing intra-EFTA tariffs down to 40 per cent of their level when EFTA began.

Bearing in mind the special problems of Member countries for which agricultural exports are of particular importance, Ministers took decisions and concluded a number of bilateral agreements designed to increase trade in agricultural products between the Members.

Ministers discussed the problems of trade in fish and fish products within EFTA and took note of the outcome of the bilateral discussions. They stressed the importance of the proposal of the United Kingdom to call a West European fisheries conference. They agreed that Member countries of EFTA should consult together in preparation for the conference and expressed the hope that all the countries which had been invited would co-operate in ensuring its success.

With a view to facilitating co-operation in the field of economic development among Governments as well as among private enterprises, Ministers decided to establish an Economic Development Committee. Ministers also welcomed the declaration of certain delegations of their intention to allow freer access for other Member States to capital available for export.

The Ministers expressed their intention to participate fully in the forthcoming trade negotiations in the GATT with a view to achieving a substantial reduction across the board of tariffs and other obstacles to trade. They would continue these discussions next week in Geneva.

It was agreed to hold the next meeting in Sweden, in September.

COMMUNIQUE of the North Atlantic Council Ministerial Meeting.—Ottawa, 24th May, 1963

The North Atlantic Council met in Ministerial Session in Ottawa from 22 to 24 May, 1963.

In their review of the international situation, the Ministers emphasised that in the world of today peace is indivisible. The enduring character of the North Atlantic Alliance(1), founded on the principles of interdependence and common defence, constitutes a basic guarantee for the maintenance of peace.

The Council noted with regret that the Soviet Union had so far shown little interest in seeking equitable solutions for outstanding problems.

With regard to Germany and Berlin, the threat has not disappeared. Thanks to the firm attitude maintained by the West, however, developments detrimental to the interests of Berlin and the Alliance have been effectively discouraged. In this connexion, the Alliance abides by the terms of its declaration of 16th December, 1958, on Berlin(2).

Outside the treaty area too, tensions and difficulties continue to exist which have a profound effect on the alliance. Soviet military personnel remain in Cuba ; and the situation there, with its repercussions in the region generally, still gives cause for concern. Ministers also expressed their disquiet over recent events in Laos, and stressed the importance of sustained efforts to secure respect for the Geneva Agreements(3).

The Ministers reaffirmed the importance, in building a peaceful world, of progress towards general and complete disarmament by stages and under effective international control. In this connexion, they noted that agreement in principle had been reached between the United States and the U.S.S.R. on measures to improve communications designed to reduce the risk of war by accident or miscalculation(4). They expressed the hope that the Soviet Union's attitude would evolve sufficiently to permit genuine progress to be made on key disarmament questions.

The growing scope and complexity of the problems facing the Alliance make it imperative for the Council to ensure that its political consultations are as prompt and effective as they can be made. The Ministers noted the progress already achieved in this direction and expressed their determination to secure still further improvements.

(1) Vol. 154, page 479.
(2) Vol. 163, page 781.
(3) Vol. 166, page 720.
(4) *See* page 366.

The Ministers discussed NATO defence policy and approved the steps taken to organise the nuclear forces assigned or to be assigned to the Supreme Allied Command Europe (SACEUR).

These include notably:

(A) Assignment of the United Kingdom V-Bomber force and three U.S. Polaris submarines to SACEUR ;

(B) Establishment by SACEUR on his staff of a deputy responsible to him for nuclear affairs ;

(C) Arrangements for broader participation by officers of NATO member countries in nuclear activities in Allied Command Europe and in co-ordination of operational planning at Omaha ;

(D) Fuller information to national authorities both political and military.

Ministers welcomed these measures to increase the effectivness of the nuclear capability at the disposal of the Alliance and to improve co-ordination and control of its nuclear deterrent forces.

The Ministers recognised the need to achieve a satisfactory balance between nuclear and conventional arms. They directed the Council in permanent session to undertake, with the advice of the NATO military authorities, further studies of the interrelated questions of strategy, force requirements and the resources available to meet them.

The Council noted progress made in the implementation of earlier resolutions concerning the defence problems of Greece and reaffirmed its interest in the effective application of these resolutions.

The North Atlantic Alliance seeks peace. It deplores the diversion into the military field of resources which might be used for the betterment of mankind, and in particular for increased efforts to raise living standards in developing countries. But the Free World remains faced with a continuing threat and the members of the North Atlantic Alliance have both the right and the duty to protect their freedom and independence.

The next Ministerial Meeting will be held in Paris in December 1963.

PROTOCOL to the International Convention for the Northwest Atlantic Fisheries.—Washington, 15th July, 1963[1]

The Governments parties to the International Convention for the Northwest Atlantic Fisheries signed at Washington under date of 8th February, 1949[2], which Convention, as amended[3], is hereinafter referred to as the Convention, desiring to extend the provisions of the Convention to harp and hood seals, agree as follows:

ARTICLE I

The provisions of the Convention shall be applicable with respect to harp and hood seals in conformity with Articles II and III of this Protocol.

ARTICLE II

1. The Contracting Governments shall establish and maintain a Panel with jurisdiction respecting harp and hood seals in the Convention area. Initial representation on the Panel shall be determined by the International Commission for the Northwest Atlantic Fisheries on the basis of current substantial exploitation of harp and hood seals in the Convention area, except that each Contracting Government with coastline adjacent to the Convention area shall have the right to representation on the Panel.

2. Panel representation shall be reviewed annually by the Commission, which shall have the power, subject to consultation with the Panel, to determine representation on the Panel on the same basis as provided in paragraph 1 of this Article for initial representation.

ARTICLE III

Proposals in accordance with Article VIII of the Convention for joint action by Contracting Governments with respect

(1) Treaty Series No. 40 (1966) (Cmnd. 3044).
(2) Vol. 154, page 411.
(3) Vol. 162, page 739.

to harp and hood seals shall become effective for all Contracting Governments four months after the date on which notifications of acceptance have been received by the Depositary Government from all the Contracting Governments participating in the Panel for harp and hood seals.

ARTICLE IV

1. This Protocol shall be open for signature and ratification or for adherence on behalf of any Government party to the Convention.

2. This Protocol shall enter into force(4) on the date on which instruments of ratification have been deposited with, or written notifications of adherence have been received by, the Government of the United States of America, on behalf of all the Governments parties to the Convention.

3. Any Government becoming a party to the Convention after this Protocol enters into force shall adhere to this Protocol, such adherence to be effective on the same date that such Government becomes a party to the Convention.

4. The Government of the United States of America shall inform all Governments signatory or adhering to the Convention of all ratifications deposited and adherences received and of the date this Protocol enters into force.

ARTICLE V

1. The original of this Protocol shall be deposited with the Government of the United States of America, which Government shall communicate certified copies thereof to all the Governments signatory or adhering to the Convention.

2. This Protocol shall bear the date on which it is opened for signature and shall remain open for signature for a period of fourteen days thereafter, following which period it shall be open for adherence.

In witness whereof the undersigned, having deposited their respective full powers, have signed this Protocol.

Done at Washington this 15th day of July, 1963, in the English language.

(4) 29 April, 1966.

[Here follow the signatures.]

STATES WHICH ARE PARTIES:—

United Kingdom
Canada (including Newfoundland)
Denmark
France
Federal Republic of Germany (including Berlin)
Iceland
Italy
Norway
Poland
Portugal
Rumania
Soviet Union
Spain
United States of America

TREATY banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water.—Moscow, 5th August, 1963[1]

The Governments of the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics, and the United States of America, hereinafter referred to as the Original Parties,

Proclaiming as their principal aim the speediest possible achievement of an agreement on general and complete disarmament under strict international control in accordance with the objectives of the United Nations which would put an end to the armaments race and eliminate the incentive to the production and testing of all kinds of weapons, including nuclear weapons,

Seeking to achieve the discontinuance of all test explosions of nuclear weapons for all time, determined to continue negotiations to this end, and desiring to put an end to the contamination of man's environment by radioactive substances,

Have agreed as follows:

ARTICLE I

1. Each of the Parties to this Treaty undertakes to prohibit, to prevent, and not to carry out any nuclear weapon test explosion, or any other nuclear explosion, at any place under its jurisdiction or control:

(1) Treaty Series No. 3 (1964) (Cmnd. 2245).

(*a*) in the atmosphere; beyond its limits, including outer space; or under water, including territorial waters or high seas; or

(*b*) in any other environment if such explosion causes radioactive debris to be present outside the territorial limits of the State under whose jurisdiction or control such explosion is conducted. It is understood in this connection that the provisions of this subparagraph are without prejudice to the conclusion of a treaty resulting in the permanent banning of all nuclear test explosions, including all such explosions underground, the conclusion of which, as the Parties have stated in the Preamble to this Treaty, they seek to achieve.

2. Each of the Parties to this Treaty undertakes furthermore to refrain from causing, encouraging, or in any way participating in, the carrying out of any nuclear weapon test explosion, or any other nuclear explosion, anywhere which would take place in any of the environments described, or have the effect referred to, in paragraph 1 of this Article.

ARTICLE II

1. Any Party may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Governments which shall circulate it to all Parties to this Treaty. Thereafter, if requested to do so by one-third or more of the parties, the Depositary Governments shall convene a conference, to which they shall invite all the Parties, to consider such amendment.

2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to this Treaty, including the votes of all of the Original Parties. The amendment shall enter into force for all Parties upon the deposit of instruments of ratification by a majority of all the Parties, including the instruments of ratification of all of the Original Parties.

ARTICLE III

1. This Treaty shall be open to all States for signature. Any State which does not sign this Treaty before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the original parties —the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics, and the United States of America—which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after its ratification by all the Original Parties and the deposit of their instruments of ratification(2).

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification of and accession to this Treaty, the date of its entry into force, and the date of receipt of any requests for conferences or other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations(3).

ARTICLE IV

This Treaty shall be of unlimited duration.

Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardised the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty three months in advance.

ARTICLE V

This Treaty, of which the English and Russian texts are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty

(2) The Treaty entered into force on 10th October, 1963.
(3) Vol. 145, page 805.

shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

In witness whereof the undersigned, duly authorized, have signed this Treaty.

Done in triplicate at the city of Moscow, the 5th day of August, 1963.

For the Government of the United Kingdom of Great Britain and Northern Ireland	For the Government of the Union of Soviet Socialist Republics	For the Government of the United States of America
HOME	A. GROMYKO	DEAN RUSK

LIST OF CONTRACTING PARTIES TO THE TREATY AS AT 1ST JANUARY, 1968

Afghanistan
Australia
Austria
Belgium
Bolivia
Brazil
Bulgaria
Burma
Byelorussian S.S.R.
Canada
Central African Republic
Ceylon
Chad
Chile
China, Republic of
Congo (Kinshasha[4])
Costa Rica
Cyprus
Czechoslovakia
Dahomey
Denmark
Dominican Republic
Ecuador
El Salvador
Finland
Gabon
Gambia
Germany, Eastern
Germany, Federal Republic of
Ghana
Greece
Guatemala
Honduras
Hungary
Iceland
India
Indonesia
Iran
Iraq
Ireland
Israel
Italy
Ivory Coast
Japan
Jordan
Kenya
Korea
Kuwait
Laos
Lebanon
Liberia
Luxembourg
Malagasy Republic
Malawi
Malaysia
Malta
Mauritania
Mexico
Mongolia
Morocco

(4) Formerly Leopoldville.

LIST OF CONTRACTING PARTIES TO THE TREATY AS AT 1ST JANUARY, 1968—*continued*

Nepal
Netherlands
New Zealand
Nicaragua
Niger
Nigeria
Norway
Panama
Peru
Philippines
Poland
Rumania
Rwanda
San Marino
Senegal
Sierra Leone
South Africa
Spain
Sudan
Sweden
Switzerland
Syria
Tanganyika
Thailand
Togo
Trinidad and Tobago
Tunisia
Turkey
Uganda
Ukrainian S.S.R.
Soviet Union
United Arab Republic
United Kingdom
United States
Venezuela
Western Samoa
Yugoslavia
Zambia

DOCUMENTS relating to the Conference of the Eighteen-Nation Committee on Disarmament.—Geneva, 12th February to 29th August, 1963

Introduction

FOURTH SESSION, FEBRUARY 12–JUNE 21, 1963(1)

The States represented at the Fourth and Fifth Sessions of the Conference were: Brazil, Bulgaria, Burma, Canada, Czechoslovakia, Ethiopia, India, Italy, Mexico, Nigeria, Poland, Rumania, Sweden, the Union of Soviet Socialist Republics, the United Arab Republic, the United Kingdom and the United States of America. France was not represented.

The Conference reconvened on February 12, 1963, after informal discussions in Washington and New York between the Soviet Union, the United Kingdom and the United States on a nuclear test ban treaty.

On April 10, as requested in General Assembly Resolution A/1767 (XVII)(2), the Conference submitted a progress report to the United Nations Disarmament Commission and the General Assembly.

(1) *See* Miscellaneous No. 16 (1963) (Cmnd. 2184).
(2) Vol. 166, page 1015.

Negotiations for a Treaty on General and Complete Disarmament

Discussions centred on Items 5(*b*), (*c*) and (*d*) of the procedure of work agreed on July 24, 1962(3), namely disarmament measures concerning nuclear delivery vehicles and conventional armaments and measures in the field of nuclear disarmament.

On March 27, 1963 the Soviet Delegate announced (Speech No. 5) that his Government could accept control over the missiles remaining under the Gromyko proposal(4) on their launching sites. No other progress was made on general disarmament.

Collateral Measures

On February 12, 1963, the Soviet Union tabled a draft declaration(5) on the renunciation of the use of foreign territories for stationing strategical means of delivery for nuclear weapons (Speech No. 2). The Soviet Union also tabled a draft Non-aggression Pact(6) between the States parties to the Warsaw Treaty and the States parties to the North Atlantic Treaty (Speech No. 3).

Discussion also continued on the United States working paper on the reduction of the risk of war(7) and on April 5 the Soviet Delegate said that his Government was prepared to consider one of the measures proposed in this paper—namely, emergency communications between Heads of State (Speech No. 8): technical talks in Geneva followed this announcement and on June 20 a bilateral agreement was signed(8).

On June 21, the Delegation of Mexico tabled a draft treaty prohibiting the placing in orbit and stationing in outer space of nuclear weapons (Document No. 7).

Nuclear-Free Zones

On May 6, 1963, the Delegations of Brazil and Mexico tabled the Declaration on the Denuclearisation of Latin America

(3) *Miscellaneous* No. 32 (1962) (Cmnd. 1857), Document No. 3.
(4) *Miscellaneous* No. 5 (1963) (Cmnd. 1958), Document No. 2.
(5) Document No. 1 below.
(6) Document No. 2 below.
(7) Vol. 166, page 866.
(8) Page 366.

drawn up by five Latin American Governments (Document No. 3). On May 27 the Soviet Delegation published as a Conference Document the text of a note from the Soviet Government to the Government of the United States of America about a Nuclear-Free Mediterranean(9). Similar notes were addressed to Her Majesty's Government and also to the Governments of countries bordering on the Mediterranean. Her Majesty's Government's reply was delivered on June 26 (Document No. 8). The resolution passed by the African Summit Conference, submitted by the Delegations of Ethiopia, Nigeria and the United Arab Republic, included provision for a nuclear-free zone in Africa(10).

Negotiations for a Treaty on the Discontinuance of Nuclear Weapon Tests

During the recess, private talks were held in Washington and New York between the Soviet Union, the United Kingdom and the United States on the basis of Mr. Khrushchev's letters to President Kennedy of December 19, 1962, and January 7, 1963 (Documents Nos. 9 and 11) marking a return to the Soviet negotiating position of 1961 in offering 2-3 on-site inspections with automatic seismic stations (black boxes), together with President Kennedy's reply of December 28 (Document No. 10). These talks, which lasted from January 14-31, 1963, were broken off by the Soviet Union and discussion was resumed when the 18-Nation Committee met again in Geneva on February 12.

In the discussions in Plenary Session of the Committee the Soviet Union refused to make any advance on their offer of 2–3 on-site inspections, claiming that this had been made purely as a political gesture and that inspections were, in fact, unnecessary (Speeches Nos. 21 and 25). The United States presented a detailed exposition of its proposals, emphasising that no final number of inspections could be fixed until there was agreement on the exact scope (or modalities) of on-site inspections (Speeches Nos. 20 and 23). The Soviet Union, however, was unwilling to join in detailed discussions on this problem.

(9) Document No. 3 below.
(10) Page 236, Resolution (*d*).

On April 1, the United Kingdom and the United States jointly tabled a Memorandum of Position (Document No. 12) comprising a summary of their proposals in this field.

On April 24, personal letters from President Kennedy and Mr. Macmillan were delivered to Mr. Khrushchev in Moscow, to which he later replied. Further letters from the President and the Prime Minister were delivered on May 31 and, following Mr. Khrushchev's second reply, it was announced that Western representatives (Lord Hailsham for the United Kingdom and Mr. Averell Harriman for the United States) would visit Moscow on July 15. The Conference in general welcomed these high-level approaches but as a result tended to devote less of its time to nuclear tests during May and June. On June 10, Ethiopia, Nigeria and the United Arab Republic tabled a joint Memorandum on the Question of the Cessation of Nuclear Weapons Tests (Document No. 13, Speech No. 26).

FIFTH SESSION, JULY 30 TO AUGUST 29, 1963[11]

The Committee met against the background of the partial Nuclear Test Ban Treaty[12] which had been initialled on July 25, 1963, during the recess. The Treaty was welcomed by all the delegates to the Conference and there was a noticeable improvement in the atmosphere of the talks during this session.

At the Eighteenth Session of the United Nations General Assembly Meeting in September 1963, the members also expressed their approval and enthusiasm for the Treaty ; this and other subjects relating to disarmament occupied a substantial part of the debates.

Negotiations for a Treaty on the Discontinuance of Nuclear Weapons Tests

On July 30, the United Kingdom, the United States of America and the Union of Soviet Socialist Republics tabled the text of the Treaty banning Nuclear Weapons Tests in the Atmosphere, in Outer Space and under Water which had been initialled at Moscow on July 25[12].

On that date also the same Powers tabled the text of the Moscow communiqué of July 25[13] at the conclusion of the Test Ban negotiations.

(11) *Miscellaneous* No. 12 (1964) (Cmnd. 2353).
(12) Page 178
(13) Page 78.

Negotiations for a Treaty on General and Complete Disarmament

Discussions centred on Items 5(*d*) and (*e*) of the Procedure of Work adopted by the Conference on July 24, 1962(3), namely nuclear disarmament and military bases, and on collateral measures.

On August 14, the United States of America tabled an amendment to the United States Outline of Basic Provisions of a Treaty on General and Complete Disarmament in a Peaceful World, relating to Nuclear Disarmament in Stage I(14).

On August 14 also, the United States tabled draft Articles 6-12 (also relating to nuclear disarmament in Stage I) of the United States draft Treaty on General and Complete Disarmament(15).

The Conference adjourned on August 29, pending discussion of disarmament questions at the United Nations General Assembly(16).

(No. 1)—SOVIET DRAFT DECLARATION ON RENUNCIATION OF USE OF FOREIGN TERRITORIES FOR STATIONING STRATEGICAL MEANS OF DELIVERY OF NUCLEAR WEAPONS, 12TH FEBRUARY, 1963.

The Governments of
(State-signatories of the present Declaration to be listed)

Desiring to contribute in every possible way to the easing of international tension, the consolidation of peace and the creation of the most favourable conditions for general and complete disarmament,

Attaching particularly great importance to the adoption of measures aimed at reducing the danger of a military conflict between the nuclear Powers,

Solemnly undertake, within the period of . . . from the date of signature of this Declaration, to carry out the following measures which they regard as a step towards more extensive disarmament measures:

(14) Document 4 below.
(15) Document 5 below.
(16) Page 392.

1. To dismantle bases located in foreign territory for submarines carrying nuclear and rocket weapons and to renounce the use of foreign ports as bases for such submarines.

2. To withdraw from foreign ports aircraft carriers having on board aircraft armed with nuclear weapons.

3. To dismantle strategical rocket installations located in foreign territory and to transfer to their own national territory rockets of 1,500 km. range and over and the corresponding nuclear warheads.

4. To withdraw strategic aircraft designed for delivering nuclear bombs to their targets as well as these nuclear bombs, from bases located in foreign territory to within their own national boundaries.

The Governments of States parties to this Declaration undertake not to station in future in foreign territories and ports the means of delivery of nuclear weapons, nuclear warheads and bombs referred to in paragraphs 1, 2, 3, 4 above.

(No. 2)—SOVIET DRAFT NON-AGGRESSION PACT BETWEEN STATES PARTIES TO THE WARSAW TREATY AND THE NORTH ATLANTIC TREATY, 20TH FEBRUARY, 1963.

The States parties to the Warsaw Treaty of Friendship, Co-operation and Mutual Assistance of May 14, 1955, on the one hand, and the States parties to the North Atlantic Treaty of April 4, 1949([17]), on the other hand,

Being firmly resolved to take measures to eliminate international tension and to create an atmosphere of confidence in relations between States in order to help forward the consolidation of universal peace and the speediest possible achievement of agreements on the most vital problems of to-day and particularly on general and complete disarmament,

Confirming their intention to comply strictly with the purposes and principles of the United Nations Charter([3]) in their relations with one another,

Have agreed on the following:

([17]) Vol. 162, page 390, and Vol. 154, page 479.

ARTICLE 1

The States parties to the Warsaw Treaty and the States parties to the North Atlantic Treaty solemnly undertake to refrain from attack, the threat or use of force, in any manner inconsistent with the purposes and principles of the United Nations Charter, against one another or in their international relations in general.

ARTICLE 2

All disputes that may arise between one or more States parties to the Warsaw Treaty, on the one hand, and one or more States parties to the North Atlantic Treaty, on the other hand, shall be resolved by peaceful means only, through negotiations between the parties concerned or by using other means for the pacific settlement of international disputes as provided for by the United Nations Charter.

ARTICLE 3

Should situations affecting the interests of both sides arise which are likely to endanger the maintenance of peace and security, the States parties to this Pact shall consult together, with a view to taking and implementing such joint measures as may, in conformity with the United Nations Charter, be considered appropriate for the peaceful settlement of such situations.

ARTICLE 4

This Pact shall remain in force for so long as the Warsaw Treaty of Friendship, Co-operation and Mutal Assistance of May 14, 1955, and the North Atlantic Treaty of April 4, 1949, are valid.

ARTICLE 5

This Pact shall be ratified by the signatory States in accordance with their respective constitutional processes. The ratifications shall be deposited with the United Nations Secretary-General who shall notify all the States signatories to the Pact as well as all the other States members of the United Nations, of each deposit.

This Pact shall come into force on the day of the deposit of the last ratification.

ARTICLE 6

This Pact, of which the Russian, English and French texts are authentic, shall be registered and remain deposited with the United Nations Secretariat. Duly certified copies thereof shall be communicated by the United Nations Secretary-General to the Governments of the States signatories to this Pact.

In faith whereof the undersigned representatives of the States parties to the Warsaw Treaty and the States parties to the North Atlantic Treaty have subscribed to this Pact and thereto have affixed their seals.

Done at 1963.

(No. 3)—A NUCLEAR-FREE MEDITERRANEAN: NOTE OF SOVIET GOVERNMENT TO U.S. GOVERNMENT, 20TH MAY, 1963[18].

The Government of the Soviet Union deems it necessary to state to the Government of the United States the following:

Quite recently the Soviet Government was compelled to utter a warning against the plans for the creation of a NATO nuclear force which would give the West German *Bundeswehr* access to atomic weapons and unleash a nuclear armaments race knowing neither State nor geographical bounds. Today the peoples are witnessing the fact that the Governments of the United States and certain other NATO members are taking further steps in the same direction.

The point in question is the already started implementation of plans for the development of United States nuclear submarines equipped with Polaris nuclear missiles in the Mediterranean area. As possible bases for these submarines, ports in Spain and British military bases in Cyprus and Malta have been mentioned. There are reports that submarines equipped with Polaris missiles will also use ports in Turkey, Greece and Italy. Two such nuclear submarines have already entered the Mediterranean and are settling down in the coastal waters of Greece and Turkey.

Thus the United States and some of its allies are demonstrating once again that concern for the prevention of a thermo-

[18] A similar document was delivered on the same date to H.M. Embassy, Moscow.

nuclear war or at least for the reduction of the danger of its outbreak is alien to their policy. Instead of joining in the efforts of those States which, in anticipation of the implementation of a programme of general and complete disarmament, are already striving to narrow the field of preparations for a nuclear war, the Powers in the lead in NATO are bringing within the orbit of these preparations yet another extensive area with a population of approximately 300 millions.

What will be the result of turning the Mediterranean Sea into a gigantic reservoir filled with scores of missiles having megatons of nuclear load? What does it mean to turn the Mediteranean basin into a kind of missiledrome where every mile of the sea's surface can be used by an aggressor as a launching site for nuclear weapons?

In the first place, it increases immeasurably the danger that the Mediterranean and the adjacent countries may become the theatre of devastating military operations. Even States which neither have nor wish to have anything to do with the aggressive preparations of NATO—and these are the overwhelming majority in the Mediterranean—in fact find themselves in a situation where the right to control their future is appropriated by those who command the nuclear submarines cruising in the vicinity of their coasts. Under their security and sovereignty are being spread the trammels of the same dangerous policy in which the countries which have made their territories available for the location of NATO military bases have been caught.

The alarm of the Arabs, Yugoslavs, Albanians and Cypriots, and of other peoples as well, cannot be allayed by assertions that the sending of United States missile-carrying submarines into the Mediterranean is no more than a " technical " operation to replace the land-based Jupiter missiles on the territory of Turkey and Italy with other, more improved ones. No, the replacement of United States fixed missile bases by floating ones which is now being carried out entails far-reaching political and military consequences: the spectre of nuclear war which at first set foot on the land of those countries which are themselves actively participating in the military arrangements of NATO has now been given an entry visa on all the shores of the Mediterranean Sea. Submarines equipped with Polaris missiles cruising along the shores of the Mediterranean

countries would extend the area from which a nuclear attack could be launched and, consequently, would also enlarge the geographical sphere of application of the inevitable counter-measures for the purpose of neutralizing the bases of aggression.

It is obvious that the countries in which these submarines are based permanently or from time to time, would expose themselves to the greatest danger. But there is no guarantee, nor can there be any, that a nuclear submarine will not release its death-dealing load from international waters and then try to hide off the coast of a State not forming part of the North Atlantic *bloc*, or that it will not fire a salvo directly from the territorial waters of that State. The likelihood of such a course of events cannot be excluded, especially as many States of the Mediterranean basin are without practical means to prevent nuclear submarines from entering their waters and only a few minutes would be required for the irreparable to be accomplished.

The introduction into the Mediterranean Sea of NATO military vessels with nuclear weapons on board makes it necessary for the States whose security is being threatened by the North Atlantic *bloc* to carry out effective defensive counter-measures in order to be in a position to repulse any encroachment upon the peaceful life of their peoples and not to leave the NATO Powers a free hand to use the Mediterranean as a spring-board for possible aggression. The peace-loving States will have no other choice than to keep their means of neutralization trained on the routes along which the nuclear submarines move, as well as on the coasts of NATO members and those countries which make their territories available to this *bloc* as permanent or periodic bases for nuclear missile weapons.

It should be clear to everyone that the NATO military staffs are leading matters to the point where the Meriterranean, instead of being the shortest commercial sea route linking West and East and a traditional place of rest and international tourism, would become the lair of the carriers of nuclear death and yet another area of dangerous rivalry and conflict.

What have the countries of the Balkan Peninsula, North Africa, the Near and Middle East, all countries situated along the perimeter of the Mediterranean or even in the depths of the continents, to gain, if missile-bearing nuclear submarines rove along their coasts? Will this increase their security or

help to improve their lives? Is it possible to think that the Greeks, Turks, Italians, Frenchmen, Spaniards and other peoples of the Mediterranean will feel safer if foreign missiles and atom bombs over which they have no power or control are put in firing position on their very thresholds? Even in the event of an accidental combination of circumstances, against their will and desire the peoples of this area may become the victims of a deadly catastrophe.

The peoples of the Mediterranean have had to suffer many things in the course of their history. From the innumerable conflicts which shook ancient Egypt, Greece, Rome and Carthage to the two World Wars in this century, this area has experienced all the vicissitudes of armed rivalry between States. But even in the Second World War, which rapidly spread to the African continent and across the Near and Far East, there was no weapon even remotely comparable in destructive power with the one now hiding in the waves of the Mediterranean Sea or with the one which would be used to deliver a counter-blow to an aggressor if this sea were used as a centre and hiding place for an aggressor. If the worst came to the worst in these days, the Mediterranean Sea would become a dead sea in every sense of the word. Many centres of civilization and culture would be threatened with a fate similar to that of Pompeii. Even people who have no religious views can understand the feelings of millions of Christians and Moslems in connexion with the fact that in the implementation of the plans of the NATO leaders nuclear weapons would be almost under the walls of the Vatican, Jerusalem, Mecca and Medina.

The Governments of the Western Powers try to justify their plans to station Polaris submarines in the Mediterranean Sea on the grounds that it is an open sea and that whether or not to make ports available for missile-carrying vessels is a domestic affair of the individual States. But by what right are four or five States, which have linked themselves with the policy of NATO, without considering the interests of the other Mediterranean countries, prepared to throw open the gates of Gibraltar to a stream of nuclear weapons? If, for example, the Governments of Turkey, Greece, Italy or Spain allow submarines or surface vessels with nuclear weapons on board to shelter in their waters, they will not only be trifling with the fate of their own countries but will also endanger the security of neighbouring countries.

The Governments of the United States and the other NATO countries have not been lacking in assurances that the United States Polaris submarines are being sent to the Mediterranean Sea for 'defensive purposes' and even for the 'protection' of the countries of this area. It would be no exaggeration, however, to say that of all the existing means of waging war the United States weapon now being stationed in the Mediterranean Sea is the least fitted to serve defensive purposes but, on the other hand, it is the most suitable for any kind of provocation. The distinctive feature of the use of nuclear submarines as mobile missile bases is that they are designed to conceal preparations for, and to ensure the sudden delivery of, a nuclear attack.

Furthermore, in the Soviet Union, and no doubt in other countries as well, one remembers the recent statements of highly placed persons in the United States to the effect that under certain circumstances the United States might take the initiative in a nuclear conflict with the USSR. The Soviet Government could not fail to pay attention also to the statements of leading military personalities in the United States to the effect that the United States submarines which have been sent to the Mediterranean Sea have been previously assigned certain targets in the Soviet Union.

It will not be superfluous to note further that it has also often been said that the purpose of the United States Sixth Fleet, which has been roaming about the Mediterranean Sea from year to year, is to help the Mediterranean countries to protect their independence and security. But in the log-book of the Commander of this Fleet there is not a single entry of any operation in support of the sovereign rights of independence of the countries of North Africa or the Near East.

On the contrary, the ships of the Sixth Fleet participated in preparing for an attack on Syria in 1957, which was frustrated as a result of the decisive action, in the first place, of the Soviet Union. With the forces of this Fleet the United States occupied the coast of Lebanon in the summer of 1958. United States Navy ships covered foreign intervention in Jordan. It was within sight of the Sixth Fleet that the United States NATO allies, the United Kingdom and France, together with Israel, carried out an aggression against Egypt and bombed Cairo and Port Said.

Those are the facts. They depict quite definitely the true state of affairs.

What are United States Navy ships seeking in the Mediterranean Sea, thousands of miles away from the national boundaries of the United States? What are the real aims that are being pursued when, in addition to surface vessels, nuclear submarines with nuclear weapons are now being sent there? The NATO measures for spreading nuclear weapons to new areas speak for themselves. And further light on the intentions of the United States is shed by the statements of United States military leaders who recently justified the need to station United States nuclear weapons in Canada by saying that in the event of war this would make it possible to draw part of a nuclear counter-blow away from the United States and divert it to Canada. This was said, it is true, in respect of Canada and not the Mediterranean Sea. But what is concerned in both cases is preparation for a nuclear war, which is being carried out within the framework of one and the same policy, and one and the same strategy.

Some people may consider it almost the summit of military thinking to hide their nuclear missile bases as far away as possible from their own vital centres and closer to the borders of other countries. But can the millions of people living in the Mediterranean area be content with the position of hostages in which the leading Powers of NATO are trying to place them? Everything shows that the military plans of these Powers—to-day more than ever—include the intention, in the event of a conflict, to divert to States wholly innocent in such a conflict, part of the nuclear counter-blow which would be duly delivered to the aggressor.

There is yet another circumstance which cannot be disregarded. As is well known, the United Nations General Assembly adopted a resolution declaring Africa a denuclearized zone([19]). This resolution was aimed at saving the African continent from the dangers connected with a further spread of nuclear weapons. Not a single NATO State dared vote against it. But by setting out to turn the waters washing the shores of North Africa into a nuclear missile base, the United States and its allies are flagrantly flouting this resolution of the United Nations.

([19]) Vol. 166, page 523.

Obviously, it is no mere coincidence that the plans for sending United States submarines with Polaris missiles to the Mediterranean Sea appeared simultaneously with plans for the creation of a so-called "multi-national" and "multilateral" NATO nuclear force, in which a significant role is assigned to the West German revanchists and militarists. These are elements of one and the same policy—the policy of an unbridled armaments race and the spreading of nuclear weapons.

The Soviet people is engaged in peaceful labour and wishes only peace and prosperity to other peoples. The Soviet Government firmly believes in the principles of peaceful co-existence—it is prepared to settle on the basis of these principles all questions of its relations with any other countries, regardless of social differences, without any interference in the internal affairs of other States.

Faithful to the policy of peace and peaceful co-existence, the Soviet Union has repeatedly proposed the adoption of measures to prevent the proliferation of nuclear weapons, giving its support to proposals for the creation of denuclearized zones in various parts of the world; for the elimination of military bases on foreign territories, and the immediate reduction of armaments and armed forces in the areas where the possibility of a conflict is particularly great. The Soviet Government advocates renunciation of the use of foreign territories and ports for the stationing of any type of strategic weapon, including submarines with nuclear missile weapons.

The Soviet Union has submitted specific proposals on all these questions to the Eighteen-Nation Committee on Disarmament at Geneva. The implementation of these proposals would strengthen mutual confidence between States and facilitate the solution of the main problem of our time—general and complete disarmament.

But what the United States and its allies are now doing in creating a concentrated NATO nuclear force and taking the course of spreading nuclear missile weapons to other continents and seas is placing additional obstacles in the path to disarmament.

In the interests of ensuring international security, the Soviet Government proposes that the whole area of the Mediterranean Sea should be declared a zone free from nuclear missile

weapons. It is prepared to assume an obligation not to deploy any nuclear weapons or their means of delivery in the waters of this area provided that similar obligations are assumed by the other Powers. If this area is declared a zone free from nuclear missile weapons, then, jointly with the United States and the other countries of the West, the Soviet Union is prepared to give reliable guarantees that in the event of any military complications the area of the Mediterranean Sea will be considered as outside the sphere of use of nuclear weapons.

Implementation of these proposals would contribute to mutual understanding and friendship in the relations between the countries of the Mediterranean area; it would enable the States of the Mediterranean basin to devote more of their forces and resources to the solution of their economic and social problems. It would at the same time be a substantial contribution towards lessening the general international tension and towards ensuring peace in Europe, Africa and throughout the world.

The Soviet Government expresses the hope that the Government of the United States will consider with due attention the considerations set forth in this note.

[Similar notes were sent to the Governments of Algeria, Cyprus, France, Greece, Israel, Italy, Lebanon, Libya, Morocco, Spain, Syria, Tunisia, Turkey, the United Arab Republic and the United Kingdom.]

(No. 4)—AMENDMENT TO U.S. DRAFT TREATY ON GENERAL AND COMPLETE DISARMAMENT (OF 18TH APRIL, 1962)([20]), 14TH AUGUST, 1963.

STAGE I. SECTION C. NUCLEAR WEAPONS

1. Replace the present text of sub-paragraph 2(*a*) *Transfer of Fissionable Material to Purposes Other than Use in Nuclear Weapons,* by the following:

"(*a*) Upon the cessation of production of fissionable materials for use in nuclear weapons, the United States of America and the Union of Soviet Socialist Republics would each transfer to purposes other than use in nuclear weapons

([20]) Vol. 166, page 807, document 4.

agreed quantities of weapons grade U–235 from past production. The United States of America would transfer —— kilograms, and the Union of Soviet Socialist Republics would transfer —— kilograms of such weapons grade U–235. For this purpose, 'weapons grade U–235' means the U–235 contained in metal of which at least 90 per cent of the weight is U–235."

(No. 5)—DRAFT ARTICLES 6 TO 12 OF U.S. DRAFT TREATY ON GENERAL AND COMPLETE DISARMAMENT[21], 14TH AUGUST, 1963.

ARTICLE 6

PRODUCTION AND USE OF FISSIONABLE MATERIAL FOR NUCLEAR WEAPONS

1. Each Party to this Treaty shall:

(*a*) Halt, prohibit and prevent the production, at facilities under its jurisdiction and control, of fissionable material for use in nuclear weapons;

(*b*) Halt, prohibit and prevent the use in nuclear weapons of all fissionable material produced after the beginning of Stage I; and

(*c*) Refrain from causing, encouraging, or in any way assisting or participating in, the production anywhere of fissionable material for use in nuclear weapons.

2. Each Party shall limit the production, at facilities under its jurisdiction or control, of fissionable material for purposes other than use in nuclear weapons in accordance with the Table of Allowances set forth in the Annex on Stage I Nuclear Disarmament.

3. Each Party shall submit to the International Disarmament Organisation declarations, within —— days after the beginning of Stage I and thereafter every ——, which shall list (*a*) the name, location and production capacity of each facility under its jurisdiction or control capable of producing or processing fissionable material and (*b*) the amounts and types of fissionable material being produced at each such facility. The form of such declarations shall be in accordance with the requirements set forth in the Annex on Stage I Nuclear Disarmament.

(21) Vol. 166, page 815.

ARTICLE 7

TRANSFER OF FISSIONABLE MATERIAL TO PURPOSES OTHER THAN USE IN NUCLEAR WEAPONS(22)

1. The United States of America and the Union of Soviet Socialist Republics agree that each of them shall, during Stage I, transfer to depots, as stated in paragraph 2 of this Article, specified amounts of weapons grade U–235 from its stock of such U–235 in existence at the beginning of Stage I, in order to transfer such amounts to use other than in nuclear weapons. The United States of America shall transfer not less than —— kilograms, and the Union of Soviet Socialist Republics shall transfer not less than —— kilograms of such weapons grade U–235. For the purposes of this Article "weapons grade U–235" means the U–235 contained in metal of which at least 90 per cent. of the weight is U–235.

2. Transfers pursuant to this Article shall take place at depots under the supervision of the International Disarmament Organisation. The schedule of transfers, the location, establishment and operation of depots, and the safeguard procedures to be observed in making the transfers, in withdrawing transferred material from depots, and in transporting, handling and utilising such material after withdrawal shall be as provided in the Annex on Stage I Nuclear Disarmament and in rules adopted by the Control Council of the International Disarmament Organisation in accordance with Article ——.

3. The Party owning any transferred material prior to transfer shall continue to own it after transfer, subject to the limitations contained in this Article, and may withdraw such material for any purpose other than use in nuclear weapons, providing it submits to the International Disarmament Organisation prior to withdrawal a statement setting forth the purpose of the withdrawal, the amount of material needed for such purpose, and the time and place at which such material will be used.

ARTICLE 8

TRANSFER OF FISSIONABLE MATERIAL FOR PEACEFUL USES OF NUCLEAR ENERGY

1. No Party to this Treaty shall transfer, or permit any individual or association under its jurisdiction or control to

(22) *See* Document 4 below.

transfer, to any other state, or to any individual or association under the jurisdiction or control of such other state, fissionable material for use in nuclear weapons.

2. Any transfer of fissionable material not prohibited by this Article, and the transportation, handling and utilisation of such material after such transfer, shall be subject to the safeguard procedures provided in the Annex on Stage I Nuclear Disarmament and in rules adopted by the Control Council of the International Disarmament Organisation in accordance with Article ——.

ARTICLE 9

NON-TRANSFER OF NUCLEAR WEAPONS

The Parties to the Treaty agree to seek to prevent the creation of further national nuclear forces. To this end the Parties agree that:

1. Any Party to the Treaty which has manufactured, or which at any time manufactures, a nuclear weapon shall:

(*a*) Not transfer control over any nuclear weapons to a state which has not manufacturered a nuclear weapon before (an agreed date);

(*b*) Not assist any such state in manufacturing any nuclear weapons.

2. Any Party to the Treaty which has not manufactured a nuclear weapon before the (agreed date) shall:

(*a*) Not acquire, or attempt to acquire, control over any nuclear weapons;

(*b*) Not manufacture, or attempt to manufacture, any nuclear weapons.

ARTICLE 10

NUCLEAR WEAPON TEST EXPLOSIONS

The Parties to this Treaty agree to be bound by the provisions of The Treaty Banning Nuclear Weapon Tests in all Environments, which is set forth in the Annex on Stage I Nuclear Disarmament.

ARTICLE 11

PREPARATION FOR STAGES II AND III

The Parties to this Treaty agree to examine unresolved questions related to the means of accomplishing in Stages II and III the reduction and eventual elimination of nuclear weapons stockpiles and, in the light of this examination, shall agree upon arrangements for the accomplishment of such reduction and elimination.

ARTICLE 12

VERIFICATION

The obligations set forth in this part of this Treaty shall be verified by the International Disarmament Organisation in accordance with the provisions of this Treaty, the Annex on Stage I Nuclear Disarmament, and the Annex on Verification.

COMMUNIQUE of the Ministerial Council Meeting of the European Free Trade Association.—Stockholm, 12th September, 1963(1)

The Ministerial Council of the European Free Trade Association met at Stockholm on 11th and 12th September, 1963, under the chairmanship of Mr. Gunnar Lange, Swedish Minister of Commerce.

As the timetable for the final removal of tariffs on industrial products had been established at the previous Ministerial meeting(2), Ministers devoted their attention to related aspects of the internal development of the Association and to its exernal relations.

Ministers noted with satisfaction the increase in trade both inside EFTA and between EFTA and the rest of the world. EFTA's external trade is as great as that of the United States and very close to that of the EEC. EFTA is thus one of the world's great trading groups.

(1) EFTA *Bulletin*, October 1963, page 8.
(2) *See* page 172.

Ministers agreed that in the coming year the contribution of the Association to the expansion of world trade must receive special attention. They reaffirmed their determination to do all in their power to contribute to achieving in the forthcoming GATT negotiations a linear tariff cut of 50 per cent with the minimum of exceptions. They also welcomed the work already under way in the GATT to assist the trade of developing countries and recognised the further opportunity which the United Nations Conference on Trade and Development offered for the European nations and the other industrialised countries to work together with the developing countries in efforts to expand and develop their economies.

In order to exercise their responsibilities in these fields the members of EFTA will ensure the greatest possible measure of consultation and co-ordination in their actions both through the Council in Geneva and through their Delegations in the various international economic organisations.

Ministers stressed their readiness to take every opportunity to co-operate with the EEC and its members in matters of mutual concern, reaffirming their objective to achieve a single European market.

In respect of the internal development of the Association, Ministers decided to convene the first meeting of the Economic Development Committee(3) for 11th November, 1963. They regarded this Committee and the review of trade in agricultural goods to be held in 1964 as of particular importance. Ministers agreed on the advantages of associating the Consultative Committee more closely with the work of the Association.

In the three and a half years since signature of the Convention(4) in Stockholm the members of the Association have established a firm basis for their free trade area. They are resolved to exercise to the full their responsibilities both in European matters and in broader questions of international trade.

It was agreed that the next meeting of the Ministerial Council should take place in Geneva in February, 1964.

(3) Established by EFTA Council Decision No. 9 of 1963, adopted 10th May 1963.
(4) Vol. 164, page 411.

CONVENTION on Offences and certain other Acts Committed on board Aircraft.—Tokyo, September 14, 1963[1]

The States Parties to this Convention

Have agreed as follows:

CHAPTER I—SCOPE OF THE CONVENTION

ARTICLE 1

1. This Convention shall apply in respect of:

(*a*) offences against penal law;

(*b*) acts which, whether or not they are offences, may or do jeopardise the safety of the aircraft or of persons or property therein or which jeopardise good order and discipline on board.

2. Except as provided in Chapter III, this Convention shall apply in respect of offences committed or acts done by a person on board any aircraft registered in a Contracting State, while that aircraft is in flight or on the surface of the high seas or of any other area outside the territory of any State.

3. For the purposes of this Convention, an aircraft is considered to be in flight from the moment when power is applied for the purpose of take-off until the moment when the landing run ends.

4. This Convention shall not apply to aircraft used in military, customs or police services.

ARTICLE 2

Without prejudice to the provisions of Article 4 and except when the safety of the aircraft or of persons or property on board so requires, no provision of this Convention shall be interpreted as authorizing or requiring any action in respect of offences against penal laws of a political nature or those based on racial or religious discrimination.

CHAPTER II—JURISDICTION

ARTICLE 3

1. The State of registration of the aircraft is competent to exercise jurisdiction over offences and acts committed on board.

(1) *Miscellaneous* No. 3 (1964) (Cmnd. 2261).

2. Each Contracting State shall take such measures as may be necessary to establish its jurisdiction as the State of registration over offences committed on board aircraft registered in such State.

3. This Convention does not exclude any criminal jurisdiction exercised in accordance with national law.

ARTICLE 4

A Contracting State which is not the State of registration may not interfere with an aircraft in flight in order to exercise its criminal jurisdiction over an offence committed on board except in the following cases:

(*a*) the offence has effect on the territory of such State;

(*b*) the offence has been committed by or against a national or permanent resident of such State;

(*c*) the offence is against the security of such State;

(*d*) the offence consists of a breach of any rules or regulations relating to the flight or manoeuvre of aircraft in force in such State;

(*e*) the exercise of jurisdiction is necessary to ensure the observance of any obligation of such State under a multilateral international agreement.

CHAPTER III—POWERS OF THE AIRCRAFT COMMANDER

ARTICLE 5

1. The provisions of this Chapter shall not apply to offences and acts committed or about to be committed by a person on board an aircraft in flight in the airspace of the State of registration or over the high seas or any other area outside the territory of any State unless the last point of take-off or the next point of intended landing is situated in a State other than that of registration, or the aircraft subsequently flies in the airspace of a State other than that of registration with such person still on board.

2. Notwithstanding the provisions of Article 1, paragraph 3, an aircraft shall for the purposes of this Chapter, be considered to be in flight at any time from the moment when all its

external doors are closed following embarkation until the moment when any such door is opened for disembarkation. In the case of a forced landing, the provisions of this Chapter shall continue to apply with respect to offences and acts committed on board until competent authorities of a State take over the responsibility for the aircraft and for the persons and property on board.

ARTICLE 6

1. The aircraft commander may, when he has reasonable grounds to believe that a person has committed, or is about to commit, on board the aircraft, an offence or act contemplated in Article 1, paragraph 1, impose upon such person reasonable measures including restraint which are necessary:

(*a*) to protect the safety of the aircraft, or of persons or property therein ; or

(*b*) to maintain good order and discipline on board ; or

(*c*) to enable him to deliver such person to competent authorities or to disembark him in accordance with the provisions of this Chapter.

2. The aircraft commander may require or authorise the assistance of other crew members and may request or authorise, but not require, the assistance of passengers to restrain any person whom he is entitled to restrain. Any crew member or passenger may also take reasonable preventive measures without such authorisation when he has reasonable grounds to believe that such action is immediately necessary to protect the safety of the aircraft, or of persons or property therein.

ARTICLE 7

1. Measures of restraint imposed upon a person in accordance with Article 6 shall not be continued beyond any point at which the aircraft lands unless:

(*a*) such point is in the territory of a non-Contracting State and its authorities refuse to permit disembarkation of that person or those measures have been imposed in accordance with Article 6, paragraph 1(*c*) in order to enable his delivery to competent authorities ;

(*b*) the aircraft makes a forced landing and the aircraft commander is unable to deliver that person to competent authorities ; or

(*c*) that person agrees to onward carriage under restraint.

2. The aircraft commander shall as soon as practicable, and if possible before landing in the territory of a State with a person on board who has been placed under restraint in accordance with the provisions of Article 6, notify the authorities of such State of the fact that a person on board is under restraint and the reasons for such restraint.

ARTICLE 8

1. The aircraft commander may, in so far as it is necessary for the purpose of subparagraph (*a*) or (*b*) of paragraph 1 of Article 6, disembark in the territory of any State in which the aircraft lands any person who he has reasonable grounds to believe has committed, or is about to commit, on board the aircraft an act contemplated in Article 1, paragraph 1(*b*).

2. The aircraft commander shall report to the authorities of the State in which he disembarks any person pursuant to this Article, the fact of, and the reasons for, such disembarkation.

ARTICLE 9

1. The aircraft commander may deliver to the competent authorities of any Contracting State in the territory of which the aircraft lands any person who he has reasonable grounds to believe has committed on board the aircraft an act which, in his opinion, is a serious offence according to the penal law of the State of registration of the aircraft.

2. The aircraft commander shall as soon as practicable and if possible before landing in the territory of a Contracting State with a person on board whom the aircraft commander intends to deliver in accordance with the preceding paragraph, notify the authorities of such State of his intention to deliver such person and the reasons therefor.

3. The aircraft commander shall furnish the authorities to whom any suspected offender is delivered in accordance with the provisions of this Article with evidence and information which, under the law of the State of registration of the aircraft, are lawfully in his possession.

ARTICLE 10

For actions taken in accordance with this Convention, neither the aircraft commander, any other member of the crew, any passenger, the owner or operator of the aircraft, nor the person on whose behalf the flight was performed shall be held responsible in any proceeding on account of the treatment undergone by the person against whom the actions were taken.

CHAPTER IV—UNLAWFUL SEIZURE OF AIRCRAFT

ARTICLE 11

1. When a person on board has unlawfully committed by force or threat thereof an act of interference, seizure, or other wrongful exercise of control of an aircraft in flight or when such an act is about to be committed, Contracting States shall take all appropriate measures to restore control of the aircraft to its lawful commander or to preserve his control of the aircraft.

2. In the cases contemplated in the preceding paragraph, the Contracting State in which the aircraft lands shall permit its passengers and crew to continue their journey as soon as practicable, and shall return the aircraft and its cargo to the persons lawfully entitled to possession.

CHAPTER V—POWERS AND DUTIES OF STATES

ARTICLE 12

Any Contracting State shall allow the commander of an aircraft registered in another Contracting State to disembark any person pursuant to Article 8, paragraph 1.

ARTICLE 13

1. Any Contracting State shall take delivery of any person whom the aircraft commander delivers pursuant to Article 9, paragraph 1.

2. Upon being satisfied that the circumstances so warrant, any Contracting State shall take custody or other measures to ensure the presence of any person suspected of an act contemplated in Article 11, paragraph 1, and of any person

of whom it has taken delivery. The custody and other measures shall be as provided in the law of that State but may only be continued for such time as is reasonably necessary to enable any criminal or extradition proceedings to be instituted.

3. Any person in custody pursuant to the previous paragraph shall be assisted in communicating immediately with the nearest appropriate representative of the State of which he is a national.

4. Any Contracting State, to which a person is delivered pursuant to Article 9, paragraph 1, or in whose territory an aircraft lands following the commission of an act contemplated in Article 11, paragraph 1, shall immediately make a preliminary enquiry into the facts.

5. When a State, pursuant to this Article, has taken a person into custody, it shall immediately notify the State of registration of the aircraft and the State of nationality of the detained person and, if it considers it advisable, any other interested State of the fact that such person is in custody and of the circumstances which warrant his detention. The State which makes the preliminary enquiry contemplated in paragraph 4 of this Article shall promply report its findings to the said States and shall indicate whether it intends to exercise jurisdiction.

ARTICLE 14

1. When any person has been disembarked in accordance with Article 8, paragraph 1, or delivered in accordance with Article 9, paragraph 1, or has disembarked after committing an act contemplated in Article 11, paragraph 1, and when such person cannot or does not desire to continue his journey and the State of landing refuses to admit him, that State may, if the person in question is not a national or permanent resident of that State, return him to the territory of the State of which he is a national or permanent resident or to the territory of the State in which he began his journey by air.

2. Neither disembarkation, nor delivery, nor the taking of custody or other measures contemplated in Article 13, paragraph 2, nor return of the person concerned, shall be considered as admission to the territory of the Contracting State concerned for the purpose of its law relating to entry or admission of

persons and nothing in this Convention shall affect the law of a Contracting State relating to the expulsion of persons from its territory.

ARTICLE 15

1. Without prejudice to Article 14, any person who has been disembarked in accordance with Article 8, paragraph 1, or delivered in accordance with Article 9, paragraph 1, or has disembarked after committing an act contemplated in Article 11, paragraph 1, and who desires to continue his journey shall be at liberty as soon as practicable to proceed to any destination of his choice unless his presence is required by the law of the State of landing for the purpose of extradition or criminal proceedings.

2. Without prejudice to its law as to entry and admission to, and extradition and expulsion from its territory, a Contracting State in whose territory a person has been disembarked in accordance with Article 8, paragraph 1, or delivered in accordance with Article 9, paragraph 1, or has disembarked and is suspected of having committed an act contemplated in Article 11, paragraph 1, shall accord to such person treatment which is no less favourable for his protection and security than that accorded to nationals of such Contracting State in like circumstances.

CHAPTER VI—OTHER PROVISIONS

ARTICLE 16

1. Offences committed on aircraft registered in a Contracting State shall be treated, for the purpose of extradition, as if they had been committed not only in the place in which they have occurred but also in the territory of the State of registration of the aircraft.

2. Without prejudice to the provisions of the preceding paragraph, nothing in this Convention shall be deemed to create an obligation to grant extradition.

ARTICLE 17

In taking any measures for investigation or arrest or otherwise exercising jurisdiction in connection with any offence

committed on board an aircraft the Contracting States shall pay due regard to the safety and other interests of air navigation and shall so act as to avoid unnecessary delay of the aircraft, passengers, crew or cargo.

ARTICLE 18

If Contracting States establish joint air transport operating organisations or international operating agencies, which operate aircraft not registered in any one State those States shall, according to the circumstances of the case, designate the State among them which, for the purposes of this Convention, shall be considered as the State of registration and shall give notice thereof to the International Civil Aviation Organisation which shall communicate the notice to all States Parties to this Convention.

CHAPTER VII—FINAL CLAUSES

ARTICLE 19

Until the date on which this Convention comes into force in accordance with the provisions of Article 21, it shall remain open for signature on behalf of any State which at that date is a Member of the United Nations or of any of the Specialised Agencies.

ARTICLE 20

1. This Convention shall be subject to ratification by the signatory States in accordance with their constitutional procedures.

2. The instruments of ratification shall be deposited with the International Civil Aviation Organisation.

ARTICLE 21

1. As soon as twelve of the signatory States have deposited their instruments of ratification of this Convention, it shall come into force between them on the ninetieth day after the date of the deposit of the twelfth instrument of ratification. It shall come into force for each State ratifying thereafter on the ninetieth day after the deposit of its instrument of ratification.

2. As soon as this Convention comes into force, it shall be registered with the Secretary-General of the United Nations by the International Civil Aviation Organisation.

ARTICLE 22

1. This Convention shall, after it has come into force, be open for accession by any State Member of the United Nations or of any of the Specialised Agencies.

2. The accession of a State shall be effected by the deposit of an instrument of accession with the International Civil Aviation Organisation and shall take effect on the ninetieth day after the date of such deposit.

ARTICLE 23

1. Any Contracting State may denounce this Convention by notification addressed to the International Civil Aviation Organisation.

2. Denunciation shall take effect six months after the date of receipt by the International Civil Aviation Organisation of the notification of denunciation.

ARTICLE 24

1. Any dispute between two or more Contracting States concerning the interpretation or application of this Convention which cannot be settled through negotiation, shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration the Parties are unable to agree on the organisation of the arbitration, any one of those Parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State may at the time of signature or ratification of this Convention or accession thereto, declare that it does not consider itself bound by the preceding paragraph. The other Contracting States shall not be bound by the preceding paragraph with respect to any Contracting State having made such a reservation.

3. Any Contracting State having made a reservation in accordance with the preceding paragraph may at any time

withdraw this reservation by notification to the International Civil Aviation Organisation.

ARTICLE 25

Except as provided in Article 24 no reservation may be made to this Convention.

ARTICLE 26

The International Civil Aviation Organisation shall give notice to all States Members of the United Nations or of any of the Specialised Agencies:

(*a*) of any signature of this Convention and the date thereof;

(*b*) of the deposit of any instrument of ratification or accession and the date thereof;

(*c*) of the date on which this Convention comes into force in accordance with Article 21, paragraph 1;

(*d*) of the receipt of any notification of denunciation and the date thereof; and

(*e*) of the receipt of any declaration or notification made under Article 24 and the date thereof.

In witness whereof the undersigned Plenipotentiaries, having been duly authorised, have signed this Convention.

Done at Tokyo on the 14th day of September 1963 in three authentic texts drawn up in the English, French and Spanish languages.

This Convention shall be deposited with the International Civil Aviation Organisation with which, in accordance with Article 19, it shall remain open for signature and the said Organisation shall send certified copies thereof to all States Members of the United Nations or of any Specialised Agency.

[Signed on behalf of the United Kingdom and Northern Ireland, China (Republic of), Congo (Brazzaville), Denmark, Federal Republic of Germany, Guatemala, Holy See, Indonesia, Ireland, Israel, Italy, Japan, Korea, Liberia, Netherlands, Nigeria, Norway, Pakistan, Panama, Philippines, Portugal, Saudi Arabia, Senegal, Spain, Sweden, United States of America, Upper Volta, Venezuela, Yugoslavia.]

RATIFICATIONS

	Date of Deposit
Republic of China	28th February, 1966
Denmark	17th January, 1967
Norway	17th January, 1967
Philippines	26th November, 1965
Portugal	25th November, 1964
Sweden	17th January, 1967

PROTOCOL No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms, signed at Rome on November 4, 1950.—Strasbourg, September 16, 1963(1)

The Governments signatory hereto, being Members of the Council of Europe,

Being resolved to take steps to ensure the collective enforcement of certain rights and freedoms other than those already included in Section I of the Convention for the Protection of Human Rights and Fundamental Freedoms signed at Rome on 4th November 1950(2) (hereinafter referred to as the Convention) and in Articles 1 to 3 of the First Protocol to the Convention, signed at Paris on 20th March 1952,(3)

Have agreed as follows:

ARTICLE 1

No one shall be deprived of his liberty merely on the ground of inability to fulfil a contractual obligation.

ARTICLE 2

1. Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.

2. Everyone shall be free to leave any country, including his own.

(1) *Miscellaneous* No. 6 (1964) (Cmnd. 2309).
(2) Vol. 156, page 915.
(3) Vol. 159, page 355.

3. No restrictions shall be placed on the exercise of these rights other than such as are in accordance with law and are necessary in a democratic society in the interests of national security or public safety, for the maintenance of *ordre public*, for the prevention of crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

4. The rights set forth in paragraph 1 may also be subject, in particular areas, to restrictions imposed in accordance with law and justified by the public interest in a democratic society.

ARTICLE 3

1. No one shall be expelled, by means either of an individual or of a collective measure, from the territory of the State of which he is a national.

2. No one shall be deprived of the right to enter the territory of the State of which he is a national.

ARTICLE 4

Collective expulsion of aliens is prohibited.

ARTICLE 5

1. Any High Contracting Party may, at the time of signature or ratification of this Protocol, or at any time thereafter, communicate to the Secetary-General of the Council of Europe a declaration stating the extent to which it undertakes that the provisions of this Protocol shall apply to such of the territories for the international relations of which it is responsible as are named therein.

2. Any High Contracting Party which has communicated a declaration in virtue of the preceding paragraph may, from time to time, communicate a further declaration modifying the terms of any former declaration or terminating the application of the provisions of this Protocol in respect of any territory.

3. A declaration made in accordance with this Article shall be deemed to have been made in accordance with paragraph 1 of Article 63 of the Convention.

4. The territory of any State to which this Protocol applies by virtue of ratification or acceptance by that State, and each territory to which this Protocol is applied by virtue of a declaration by that State under this Article, shall be treated as separate territories for the purpose of the references in Articles 2 and 3 to the territory of a State.

ARTICLE 6

1. As between the High Contracting Parties the provisions of Articles 1 to 5 of this Protocol shall be regarded as additional articles to the Convention, and all the provisions of the Convention shall apply accordingly.

2. Nevertheless, the right of individual recourse recognised by a declaration made under Article 25 of the Convention, or the acceptance of the compulsory jurisdiction of the Court by a declaration made under Article 46 of the Convention, shall not be effective in relation to this Protocol unless the High Contracting Party concerned has made a statement recognising such right, or accepting such jurisdiction, in respect of all or any of Articles 1 to 4 of the Protocol.

ARTICLE 7

1. This Protocol shall be open for signature by the members of the Council of Europe who are the signatories of the Convention; it shall be ratified at the same time as or after the ratification of the Convention. It shall enter into force after the deposit of five instruments of ratification(4). As regards any signatory ratifying subsequently, the Protocol shall enter into force at the date of the deposit of its instrument of ratification.

2. The instruments of ratification shall be deposited with the Secretary-General of the Council of Europe, who will notify all members of the names of those who have ratified.

In witness whereof, the undersigned, being duly authorised thereto, have signed this Protocol.

Done at Strasbourg, this 16th day of September 1963, in English and in French, both texts being equally authoritative, in a single copy which shall remain deposited in the archives of the Council of Europe. The Secretary-General shall transmit certified copies to each of the signatory States.

(4) Entered into force on 2nd May, 1968.

[Signed on behalf of the United Kingdom, Austria(5), Belgium, Denmark, Federal Republic of Germany, Iceland, Ireland(5), Italy, Luxembourg, Netherlands, Norway and Sweden.]

RATIFICATIONS OR ACCEPTANCES

Denmark	30th September, 1964.
Federal Republic of Germany	1st June, 1968.
Iceland	16th November, 1967.
Luxembourg	2nd May, 1968.
Norway	12th June, 1964.
Sweden(5)	13th June, 1964.

(5) With declaration.

COMMUNIQUE of the Ministerial Meeting of the Western European Union.—The Hague, 26th October, 1963

1. The Council of Western European Union held a meeting on 25th and 26th October, 1963, at the Binnenhof in The Hague, under the Chairmanship of His Excellency Mr. J. M. A. H. Luns. Belgium was represented by His Excellency M. Paul-Henri Spaak, France by his Excellency M. Maurice Couve de Murville, the Federal Republic of Germany by His Excellency Dr. Gerhard Schroeder, Italy by His Excellency Signor Attilio Piccioni, Luxembourg by His Excellency M. Eugène Schaus, and the United Kingdom by the Right Honourable R. A. Butler.

2. In accordance with the agreement reached in July between Her Majesty's Government in the United Kingdom and the Governments of member States of the European Economic Community(1), the purpose of this meeting of the Ministerial Council was to resume quarterly meetings in the framework of Western European Union, to take stock of the political and economic situation in Europe. It provided the seven Governments with an opportunity to review international problems.

3. The first part of this meeting, on 25th October, was devoted to consideration of the main political problems at present engaging attention in different parts of the world. Matters discussed included East/West relations, relations be-

(1) Page 258.

tween Europe and Latin America, the situation in the Middle East and the position in South-East Asia. During this review the Ministers had a wide-ranging and valuable exchange of views.

4. On 26th October, economic problems were considered in an exchange of views covering the tariff negotiations due to start in the GATT next spring, with special emphasis on their importance for the European economy, relations between the United Kingdom and the European Economic Community, the activities of the European Free Trade Area and agricultural questions. Several members of the Commission of the E.E.C. took part in these discussions.

5. The Seven Ministers also discussed the question of trade with less-developed countries, with particular reference to the United Nations Conference on Trade and Development. This conference would offer an important opportunity to find solutions to the many problems faced by the developing countries and they hoped that all participants would approach it in a constructive spirit.

6. Ministers examined the question of economic co-operation between Britain and the E.E.C. They welcomed the work which had already been done and expressed their determination to work closely together to facilitate further progress.

7. The Ministers appointed Mr. Krafft von Dellmensingen to be Deputy Secretary-General of Western European Union.

8. The next Ministerial meeting of the W.E.U. will be held in London towards the end of January, 1964.

COMMUNIQUE of the North Atlantic Council Ministerial Meeting.—Paris, 17th December, 1963

The North Atlantic Council met in Ministerial Session in Paris on 16th and 17th December, 1963.

The Ministers expressed their profound grief at the heavy loss sustained by the Alliance and the whole of mankind in the tragic death of President Kennedy. They welcomed a message from President Johnson renewing United States pledges to support the Alliance with all its strength and to maintain its forces in Europe.

The Ministers, reaffirming their faith in the North Atlantic Alliance, emphasised that the continuing strength of the Alliance, the solidarity of its member states, and their determination to defend freedom and to resist aggression, remain essential prerequisites for the maintenance of world peace.

The Ministers stressed the peaceful and defensive purposes of the North Atlantic Alliance. In subscribing to the North Atlantic Treaty(1) the members of NATO, whether members of the United Nations or not, had affirmed their faith in the principles of the United Nations Charter and had pledged themselves to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations. In the pursuit of peace, the achievement of general and complete disarmament, under effective international control, remains an essential objective.

In reviewing the international situation, the Ministers noted that there had been no major crisis since the confrontation over Cuba. They emphasised that the unity and military strength of the Alliance had largely contributed to this result and to the international atmosphere now prevailing. At the same time the Ministers emphasised the importance not only of seeking agreement on limited measures which would help to reduce tension, but of achieving a genuine and fundamental improvement in East-West relations. They expressed the hope that Soviet policy would not limit the possibilities of making progress in this direction and of reaching solutions for the problems which are the real causes of tension in the world, in particular those of Berlin and Germany. Despite recent incidents, freedom of access to Berlin had been upheld ; in this connection the Ministers reiterated their determination, as expressed in the declaration of 16th December, 1958(2), to defend and maintain the freedom of West Berlin and its people.

The Ministers also reviewed the situation in various areas of the world threatened by internal conflict and external force. They noted developments which continued to be a cause of concern in Southeast Asia, in the Caribbean area and elsewhere.

The Ministers reaffirmed their determination to improve and intensify their political consultation on subjects of common concern. They also agreed on the necessity of maintaining

(1) Vol. 154, page 479.
(2) Vol. 163, page 781 (Document 7).

and strengthening the defensive capability of the Alliance, having regard to the constant advances in science and technology. They reviewed the implementation of decisions reached at Ottawa(3) regarding fuller information on nuclear questions for national authorities and broader participation by member countries in the organisation and operational planning functions of SACEUR'S nuclear forces. Finally, they took note of the progress achieved to give effect to the decisions made at Ottawa to pursue the study of the interrelated questions of strategy, force requirements, and the resources available to meet them. This study is under way.

The Ministers reviewed the progress made during the year in improving co-operation in research, development and production of military equipment. They also noted with satisfaction the recent decisions in regard to the establishment of a NATO air defence ground environment system.

In the economic field, the Ministers noted that the economies of the NATO countries have been steadily expanding and, in contrast to what has been happening in the Communist world, the economic systems of the West have shown themselves capable of flexible adaptation to circumstances. This has permitted not only an increase in the standards of living of their own peoples but has also enabled large-scale assistance to be extended to the developing countries.

The Council, having noted progress made in the implementation of earlier resolutions concerning the defence problems of Greece, reaffirmed its interest in the further effective application of these resolutions.

The Ministers agreed to give urgent priority to a study of the military and economic problems of the defence of Greece and Turkey, and, if possible, a report is to be made to the spring Ministerial meeting of the Council.

The Ministers examined a report on civil defence and civil emergency planning, which are an essential complement to the defence effort.

The next meeting of the North Atlantic Council at the Ministerial level will be held, on the invitation of the Netherlands Government, at The Hague from 12th to 14th May, 1964.

(3) *See* page 173.

INTERNATIONAL LABOUR CONVENTION (No. 10) concerning the Age for Admission of Children to Employment in Agriculture.—Geneva, 16th November, 1921[1]

RATIFICATIONS

Albania	3rd June, 1957.
Algeria	19th October, 1962.
Argentine Republic	26th May, 1936.
Byelorussian S.S.R.	6th November, 1956.
Chile	18th October, 1935.
France	7th June, 1951.
Federal Republic of Germany	20th March, 1957.
Gabon	13th June, 1961.
Netherlands	28th November, 1956.
New Zealand	8th July, 1947.
Nicaragua	12th April, 1934.
Norway	28th January, 1957.
Peru	1st February, 1960.
Senegal	22nd October, 1962.
Soviet Union	10th August, 1956.
Ukraine	14th September, 1956.
United Kingdom	11th July, 1963.

(1) Vol. 134, page 479. The text of the Convention as amended in 1946 is published in Treaty Series No. 1 (1964) (Cmnd. 2227).

COMMUNIQUE on the Meeting of the ANZUS Council.—Wellington, 6th June, 1963

The ANZUS Council met in Wellington on 5th and 6th June, 1963. Australia was represented by the Honourable Sir Garfield Barwick, Minister for External Affairs and Attorney General, the United States of America by the Honourable W. Averell Harriman, Under Secretary of State for Political Affairs, and New Zealand by the Right Honourable Keith Holyoake, Prime Minister and Minister for External Affairs. The Ministers expressed satisfaction that the Council had met in Wellington for the first time, and in successive years in the capitals of the two South Pacific ANZUS countries.

The cordiality and frankness of the discussions this year, as in the past, served to emphasize the essential character of

ANZUS. The Treaty(1) is a forthright recognition of the fact that anything which happens in the Pacific area is of vital concern to all three and that a threat to any of the partners in the area, metropolitan and island territories alike, is equally a threat to the others. The ANZUS Treaty declares in simple and direct terms that in matters of defence Australia, New Zealand and the United States stand as one. In reviewing the course of East-West developments during the past year, particularly those affecting the Pacific area, the Ministers noted with concern the Communist Chinese aggression against India and the continuing threat against that country, the renewal of fighting in Laos, and the persisting Communist assault in South Vietnam. These, and the continued statements of implacable hostility by Communist Chinese leaders, made it clear that the principal threat to the peace and security of South and South-East Asia and the Pacific region continues to come from the Communist powers, particularly Communist China. The Council reaffirmed the determination of the three ANZUS partners to work together, and with other countries equally determined to preserve their national independence, in promoting the peace and security of the area.

They recalled that in May 1962 the three ANZUS partners, together with the United Kingdom, in order to be in a position to fulfil speedily their SEATO obligations, had deployed forces to help ensure the territorial integrity of Thailand(2).

They were agreed that the situation in Laos continued to be critical. The Geneva Agreements of 1962(3) were threatened by Pathet Lao attempts to undermine the Government of National Union. They reaffirmed their support for the independence and genuine neutrality of Laos and the principles of the Geneva Agreements.

The Ministers noted that South Vietnam continued under attack from Viet Cong guerillas, directed and supported from North Vietnam. It was agreed that the Vietnamese Government had, in recent months, seized the initiative from the Communist Viet Cong but that, although the capabilities of the Vietnamese armed forces had improved substantially and

(1) Vol. 158, page 587.
(2) *See* Vol. 166, page 716.
(3) Vol. 166, page 720.

the strategic hamlet programme was extending physical protection to a large and increasing proportion of the rural population, the road to the future peace and stability of the country was likely to be a long and difficult one, calling for continued vigorous and unremitting effort on the part of the Government and people of the country and of their friends in the free world. It was a source of satisfaction that the improving military position in South Vietnam was accompanied by further social and economic progress. Ministers were encouraged by the successful resettlement of large numbers of Montagnard refugees, the social benefits accompanying the strategic hamlets scheme, the measures to improve the rural economy, and the offer of welcome and rehabilitation for those among the Communist forces who wished to return to a peaceful life.

The three Ministers, recalling their respective Governments' expressions of support for the concept of Malaysia at the various preparatory stages, noted with satisfaction that the final steps were now being taken for the early formation of the new state. They welcomed the establishment of Malaysia as a major event in the orderly decolonisation by which several British territories will gain and exercise their independence as constituent members of a federation. It is the earnest hope of the three countries that the diplomatic discussions going on between the neighbouring nations of Indonesia, Malaya, and the Philippines will promote renewed relations of mutual friendship and regional stability on which economic developmental planning can be securely and successfully based.

The Council strongly emphasised the importance the ANZUS partners attach to economic and social progress in the countries of South and South-East Asia. The ANZUS Governments will do all they can to supplement the efforts of the Asian peoples in their struggle for a better life.

The Council reviewed recent developments in the islands of the Pacific. The Council reaffirmed the need to move steadily forward with the political, economic and social development of the islands so that they might progress to the stage where their peoples could choose their own forms of government and international relationships. The South Pacific Commission(4) could, it was felt, in close association with the island peoples, make a significant contribution to the social and

(4) Vol. 148, page 287.

economic progress of the area, and should be given the necessary support for this purpose. The Council agreed that there should be closer liaison and consultation about Pacific questions among the Governments concerned.

The Australian and New Zealand Representatives expressed support for the efforts of the United States and Britain to secure an effective international agreement to end nuclear tests and to bring about general and complete disarmament. In the absence of such an agreement, and in the face of an undiminished threat from the Soviet Union and Communist China, there was no alternative to collective defence.

The Ministers stressed their anxiety to see progress made in the test ban treaty negotiations. There was an urgent need to check the spread of nuclear weapons to countries not at present possessing them. A treaty, adhered to by all nations, providing for the cessation of nuclear tests, with adequate supervision and inspection, would be a promising step towards agreement on general disarmament.

However, the Ministers noted that notwithstanding long years of negotiation agreement on necessary inspection and control, even on the great land masses of the world, had not yet been achieved. In this connexion the Ministers referred to proposals which had been made for the exclusion of nuclear weapons from certain designated zones. They considered that until the practicability of providing and maintaining adequate inspection and safeguards for the area of Asia and the South-West Pacific, including as it does vast international waterways, had been demonstrated, the application of this approach to that area would not only be illusory but be positively dangerous, would disturb the existing strategic balance and would increase the risks of aggression.

Reference was made to the breakdown of the Brussels negotiations looking to the entry of Britain into the EEC, and to subsequent discussion on future arrangements for international trade. The vital importance to the three partners of satisfactory access to world markets for primary products was stressed and fully understood. They emphasised that expansion of international trade in both agricultural products and manufactured goods was a major aim of the three Governments.

The Council's discussions were both wide-ranging and intensive. The Ministers were convinced that this regular exchange of views at a high level and the close personal relationships thus established had much to contribute to the continued strength of the ANZUS association. The intention was expressed to arrange the next meeting within twelve months in the United States.

EXCHANGE OF NOTES between Canada and the United States of America constituting an Agreement on Civil Emergency Planning.—Ottawa, 15th November, 1963[1]

(No. 1)—*The United States Ambassador at Ottawa to the Canadian Secretary of State for External Affairs*

Ottawa, 15th November, 1963

Excellency:

I have the honor to refer to recent discussions between authorities of our two countries concerned with civil emergency planning and civil defense matters. These authorities have concluded that planning in our respective countries in these fields has reached a stage at which it would be mutually advantageous to revise the liaison arrangements between the two countries and to establish direct channels for detailed and technical consultation on civil defense, the use of resources in emergencies, and other aspects of civil emergency planning.

I am instructed by my Government, therefore, to propose a new agreement on Joint Civil Emergency Planning in our two countries, which would replace the United States-Canada Agreement on Civil Defense Cooperation of March 27, 1951.[2]

As far as possible, civil emergency planning activities in the United States and Canada should be coordinated for the protection of persons and property from the results of enemy attack as if there were no border. It is, therefore, proposed that there be a Joint United States-Canada Civil Emergency Planning Committee with responsibility for making recommendations to the two Governments, their departments and agencies, concerning plans and arrangements for cooperation and mutual assistance between the civil authorities of the two countries in the

(1) *U.S. Treaties and other International Acts* Series No. 5464.
(2) Vol. 158, page 593.

event of an attack on either country. This Committee will include the Secretary to the Cabinet of Canada, the Director of the Emergency Measures Organization of Canada, the Director of the Office of Emergency Planning of the United States, the Assistant Secretary of Defense (Civil Defense) of the United States and such other representatives as may be designated from time to time. Joint Secretaries for the Committee will be provided by the Department of External Affairs of Canada and the Department of State of the United States. The Committee will meet at least once in each calendar year at such times and places as may be agreed upon.

It is further proposed that the Committee may arrange for direct communication between such national authorities of Canada and of the United States as the Committee considers to be concerned with aspects of civil emergency planning in either country likely to be directly affected by comparable planning in the other. The Committee may also facilitate the exchange of information on aspects of civil emergency planning of a purely national character. However, subjects relating to the determination of intergovernment policy with regard to civil emergency planning will be discussed by the two Governments through normal diplomatic channels.

It is proposed also that the Committee, within its general field of competence, may establish such subcommittees and working groups as it considers necessary to advance joint planning and that the Committee may make arrangements to facilitate joint United States-Canadian civil emergency planning by the appropriate public authorities, within their respective jurisdictions, of those states, provinces, and municipalities which are adjacent to one another along the international boundary.

If the Government of Canada concurs in these proposals, I have the honor to propose that this Note and your reply to that effect shall constitute an agreement between our two Governments on Joint Civil Emergency Planning. This agreement shall supersede the agreement of March 27, 1951 and may be terminated by either Government upon thirty days' written notice.

Accept, &c.

W. W. BUTTERWORTH

(No. 2)—*The Canadian Secretary of State for External Affairs to the United States Ambassador at Ottawa*

Ottawa, 15th November, 1963

Excellency:

I have the honour to refer to your Note of November 15, 1963, concerning proposals which would govern joint civil emergency planning between our two countries.

The proposals contained in your Note are acceptable to the Government of Canada and it is agreed that your Note and this reply thereto shall constitute an agreement between our two Governments which shall enter into force on the date of this Note.

Accept, &c.

PAUL MARTIN

CHARTER of the Organisation of African Unity.—Addis Ababa, 25th May, 1963[1]

We, the Heads of African States and Governments assembled in the City of Addis Ababa, Ethiopia ;

Convinced that it is the inalienable right of all people to control their own destiny ;

Conscious of the fact that freedom, equality, justice and dignity are essential objectives for the achievement of the legitimate aspirations of the African peoples ;

Conscious of our responsibility to harness the natural and human resources of our continent for the total advancement of our peoples in spheres of human endeavour ;

Inspired by a common determination to promote understanding among our peoples and co-operation among our States in response to the aspirations of our peoples for brotherhood and solidarity, in a larger unity transcending ethnic and national differences ;

Convinced that, in order to translate this determination into a dynamic force in the cause of human progress, conditions for peace and security must be established and maintained ;

(1) United Nations Treaty Series, Vol. 479, page 39.

Determined to safeguard and consolidate the hard-won independence as well as the sovereignty and territorial integrity of our States, and to fight against neo-colonialism in all its forms ;

Dedicated to the general progress of Africa ;

Persuaded that the Charter of the United Nations(2) and the Universal Declaration of Human Rights(3), to the principles of which we reaffirm our adherence, provide a solid foundation for peaceful and positive co-operation among states ;

Desirous that all African States should henceforth unite so that the welfare and well-being of their peoples can be assured ;

Resolved to reinforce the links between our states by establishing and strengthening common institutions ;

Have agreed to the present Charter.

Establishment

ARTICLE I

1. The High Contracting Parties do by the present Charter establish an Organisation to be known as the Organisation of African Unity.

2. The Organisation shall include the Continental African States, Madagascar and other Islands surrounding Africa.

Purposes

ARTICLE II

1. The Organisation shall have the following purposes:

(*a*) to promote the unity and solidarity of the African States ;

(*b*) to coordinate and intensify their co-operation and efforts to achieve a better life for the peoples of Africa ;

(*c*) to defend their sovereignty, their territorial integrity and independence ;

(*d*) to eradicate all forms of colonialism from Africa ; and

(*e*) to promote international co-operation, having due regard to the Charter of the United Nations and the Universal Declaration of Human Rights.

(2) Vol. 145, page 805.
(3) Vol. 151, page 604.

2. To these ends, the Member States shall coordinate and harmonise their general policies, especially in the following fields:

(*a*) political and diplomatic co-operation ;

(*b*) economic co-operation, including transport and communications ;

(*c*) educational and cultural co-operation ;

(*d*) health, sanitation, and nutritional co-operation ;

(*e*) scientific and technical co-operation ; and

(*f*) co-operation for defence and security.

Principles

ARTICLE III

The Member States, in pursuit of the purposes stated in Article II, solemnly affirm and declare their adherence to the following principles:

1. the sovereign equality of all Member States ;

2. non-interference in the internal affairs of States ;

3. respect for the sovereignty and territorial integrity of each State and for its inalienable right to independent existence ;

4. peaceful settlement of disputes by negotiation, mediation, conciliation or arbitration ;

5. unreserved condemnation, in all its forms, of political assassination as well as of subversive activities on the part of neighbouring States or any other State ;

6. absolute dedication to the total emancipation of the African territories which are still dependent ;

7. affirmation of a policy of non-alignment with regard to all blocs.

Membership

ARTICLE IV

Each independent sovereign African State shall be entitled to become a Member of the Organisation.

Rights and duties of Member States

ARTICLE V

All Member States shall enjoy equal rights and have equal duties.

ARTICLE VI

The Member States pledge themselves to observe scrupulously the principles enumerated in Article III of the present Charter.

Institutions

ARTICLE VII

The Organisation shall accomplish its purposes through the following principal institutions:

1. the Assembly of Heads of State and Government;
2. the Council of Ministers;
3. the General Secretariat;
4. the Commission of Mediation, Conciliation and Arbitration.

The Assembly of Heads of State and Government

ARTICLE VIII

The Assembly of Heads of State and Government shall be the supreme organ of the Organisation. It shall, subject to the provisions of this Charter, discuss matters of common concern to Africa with a view to co-ordinating and harmonising the general policy of the Organisation. It may in addition review the structure, functions and acts of all the organs and any specialized agencies which may be created in accordance with the present Charter.

ARTICLE IX

The Assembly shall be composed of the Heads of State and Government or their duly accredited representatives and it shall meet at least once a year. At the request of any Member State and on approval by a two-thirds majority of the Member States, the Assembly shall meet in extraordinary session.

ARTICLE X

1. Each Member State shall have one vote.

2. All resolutions shall be determined by a two-thirds majority of the Members of the Organisation.

3. Questions of procedure shall require a simple majority. Whether or not a question is one of procedure shall be determined by a simple majority of all Member States of the Organisation.

4. Two-thirds of the total membership of the Organisation shall form a quorum at any meeting of the Assembly.

ARTICLE XI

The Assembly shall have the power to determine its own rules of procedure.

The Council of Ministers

ARTICLE XII

1. The Council of Ministers shall consist of Foreign Ministers or such other Ministers as are designated by the Governments of Member States.

2. The Council of Ministers shall meet at least twice a year. When requested by any Member State and approved by two thirds of all Member States, it shall meet in extraordinary session.

ARTICLE XIII

1. The Council of Ministers shall be responsible to the Assembly of Heads of State and Government. It shall be entrusted with the responsibility of preparing conferences of the Assembly.

2. It shall take cognisance of any matter referred to it by the Assembly. It shall be entrusted with the implementation of the decision of the Assembly of Heads of State and Government. It shall co-ordinate inter-African co-operation in accordance with the instructions of the Assembly and in conformity with Article II (2) of the present Charter.

ARTICLE XIV

1. Each Member State shall have one vote.

2. All resolutions shall be determined by a simple majority of the members of the Council of Ministers.

3. Two thirds of the total membership of the Council of Ministers shall form a quorum for any meeting of the Council.

ARTICLE XV

The Council shall have the power to determine its own rules of procedure.

General Secretariat

ARTICLE XVI

There shall be an Administrative Secretary-General of the Organisation, who shall be appointed by the Assembly of Heads of State and Government. The Administrative Secretary-General shall direct the affairs of the Secretariat.

ARTICLE XVII

There shall be one or more Assistant Secretaries-General of the Organisation who shall be appointed by the Assembly of Heads of State and Government.

ARTICLE XVIII

The functions and conditions of services of the Secretary-General, of the Assistant Secretaries-General and other employees of the Secretariat shall be governed by the provisions of this Charter and the regulations approved by the Assembly of Heads of State and Government.

1. In the performance of their duties the Administrative Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organisation. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organisation.

2. Each member of the Organisation undertakes to respect the exclusive character of the responsibilities of the Administrative Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

Commission of Mediation, Conciliation and Arbitration

ARTICLE XIX

Member States pledge to settle all disputes among themselves by peaceful means and, to this end decide to establish a Commission of Mediation, Conciliation and Arbitration, the composition of which and conditions of service shall be defined by a separate Protocol to be approved by the Assembly of Heads of State and Government(4). Said Protocol shall be regarded as forming an integral part of the present Charter.

Specialised Commissions

ARTICLE XX

The Assembly shall establish such Specialised Commissions as it may deem necessary, including the following:

1. Economic and Social Commission ;
2. Educational and Cultural Commission ;
3. Health, Sanitation and Nutrition Commission ;
4. Defence Commission ;
5. Scientific, Technical and Research Commission.

ARTICLE XXI

Each Specialised Commission referred to in Article XX shall be composed of the Ministers concerned or other Ministers or Plenipotentiaries designated by the Governments of the Member States.

ARTICLE XXII

The functions of the Specialised Commissions shall be carried out in accordance with the provisions of the present Charter and of the regulations approved by the Council of Ministers.

(4) Page 631.

The Budget

ARTICLE XXIII

The budget of the Organisation prepared by the Administrative Secretary-General shall be approved by the Council of Ministers. The budget shall be provided by contributions from Member States in accordance with the scale of assessment of the United Nations; provided, however, that no Member State shall be assessed an amount exceeding twenty per cent of the yearly regular budget of the Organisation. The Member States agree to pay their respective contributions regularly.

Signature and Ratification of Charter

ARTICLE XXIV

1. This Charter shall be open for signature to all independent sovereign African States and shall be ratified by the signatory States in accordance with their respective constitutional processes.

2. The original instrument, done, if possible in African languages, in English and French, all texts being equally authentic, shall be deposited with the Government of Ethiopia which shall transmit certified copies thereof to all independent sovereign African States.

3. Instruments of ratification shall be deposited with the Government of Ethiopia, which shall notify all signatories of each such deposit.

Entry into force

ARTICLE XXV

This Charter shall enter into force(5) immediately upon receipt by the Government of Ethiopia of the instruments of ratification from two thirds of the signatory States.

(5) 13th September, 1963.

Registration of the Charter

ARTICLE XXVI

This Charter shall, after due ratification, be registered with the Secretariat of the United Nations through the Government of Ethiopia in conformity with Article 102 of the Charter of the United Nations.

Interpretation of the Charter

ARTICLE XXVII

Any question which may arise concerning the interpretation of this Charter shall be decided by a vote of two thirds of the Assembly of Heads of State and Government of the Organisation.

Adhesion and accession

ARTICLE XXVIII

1. Any independent sovereign African State may at any time notify the Administrative Secretary-General of its intention to adhere or accede to this Charter.

2. The Administrative Secretary-General shall, on receipt of such notification, communicate a copy of it to all the Member States. Admission shall be decided by a simple majority of the Member States. The decision of each Member State shall be transmitted to the Administrative Secretary-General, who shall, upon receipt of the required number of votes, communicate the decision to the State concerned.

Miscellaneous

ARTICLE XXIX

The working languages of the Organisation and all its institutions shall be, if possible, African languages, English and French.

ARTICLE XXX

The Administrative Secretary-General may accept on behalf of the Organisation gifts, bequests and other donations made to the Organisation, provided that this is approved by the Council of Ministers.

ARTICLE XXXI

The Council of Ministers shall decide on the privileges and immunities to be accorded to the personnel of the Secretariat in the respective territories of the Member States.

Cessation of Membership

ARTICLE XXXII

Any State which desires to renounce its membership shall forward a written notification to the Administrative Secretary-General. At the end of one year from the date of such notification, if not withdrawn, the Charter shall cease to apply with respect to the renouncing State, which shall thereby cease to belong to the Organisation.

Amendment of the Charter

ARTICLE XXXIII

This Charter may be amended or revised if any Member State makes a written request to the Administrative Secretary-General to that effect; provided, however, that the proposed amendment is not submitted to the Assembly for consideration until all the Member States have been duly notified of it and a period of one year has elapsed. Such an amendment shall not be effective unless approved by at least two thirds of all the Member States.

In faith whereof, we, the Heads of African State and Government, have signed this Charter.

Done in the City of Addis Ababa, Ethiopia this 25th day of May, 1963.

Signatory States	*Date of deposit of Ratification*
Algeria	———
Burundi	———
Cameroon	26th August, 1963
Central African Republic ...	———
Chad	7th August, 1963
Congo (Brazzaville)	12th July, 1963
Congo (Leopoldville)	13th September, 1963
Dahomey	7th September, 1963
Ethiopia	9th June, 1963
Gabon	6th July, 1963
Ghana	15th July, 1963
Guinea	24th June, 1963
Ivory Coast	8th June 1963
Liberia	29th August, 1963
Libya	11th September, 1963
Malagasy Republic	10th August, 1963
Mali	24th July, 1963
Mauritania	26th August 1963
Morocco(6)	19th September, 1963
Niger	26th July, 1963
Nigeria	14th November, 1963
Rwanda	5th August, 1963
Senegal	2nd July, 1963
Sierra Leone	11th September, 1963
Somali Republic	4th July, 1963
Sudan	19th July, 1963
Tanganyika	14th September, 1963
Togo	13th July, 1963
Tunisia	1st October, 1963
Uganda	3rd August, 1963
United Arab Republic ...	27th July, 1963
Upper Volta	29th October, 1963
Accessions	
Botswana	31st October, 1966
Gambia	27th February, 1965
Kenya	13th July, 1964
Lesotho	31st October, 1966
Malawi	13th July, 1964
Zambia	7th November, 1964

(6) With declaration.

RESOLUTIONS adopted by the First Conference of Heads of Independent African States.—Addis Ababa, 25th May, 1963[1]

(a) Decolonisation

The Summit Conference of Independent African States meeting in Addis Ababa, Ethiopia, from 22 May to 25 May 1963 ;

Having considered all aspects of the questions of decolonisation ;

Unanimously convinced of the imperious and urgent necessity of co-ordinating and intensifying their efforts to accelerate the unconditional attainment of national independence by all African territories still under foreign domination ;

Reaffirming that it is the duty of all African Independent States to support dependent peoples in Africa in their struggle for freedom and independence ;

Noting with deep concern that most of the remaining dependent territories in Africa are dominated by foreign settlers ;

Convinced that the colonial powers by their forcible imposition of the settlers to control the governments and administrations of those territories, are thus establishing colonial bases in the heart of Africa ;

Have agreed unanimously to concert and co-ordinate their efforts and actions in this field, and to this end have decided on the following measures:

1. *Declares* that the forcible imposition by the colonial powers of the settlers to control the governments and administrations of the dependent territories is a flagrant violation of the inalienable rights of the legitimate inhabitants of the territories concerned ;

2. *Invites* the colonial powers to take the necessary measures for the immediate application of the Declaration of the Granting

(1) Organisation of African Unity, Provisional Secretariat, *Basic Documents and Resolutions*, pages 15–24. The Conference was attended by Heads of State and Government of Algeria, Burundi, Cameroon, Central African Republic, Chad, Congo (Brazzaville), Congo (Leopoldville), Dahomey, Ethiopia, Gabon, Ghana, Guinea, Ivory Coast, Liberia, Libya, Malagasy Republic, Mali, Mauritania, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Tanganyika, Tunisia, Uganda, United Arab Republic, Upper Volta. For text of the Charter of the Organisation of African Unity *see* immediately preceding document.

of Independence to Colonial Countries and Peoples (2); and *insists* that their determination to maintain colonies or semi-colonies in Africa constitutes a menace to the peace of the continent;

3. *Invites,* further, the colonial powers, particularly the United Kingdom with regard to Southern Rhodesia, not to transfer the power and attributes of sovereignty to foreign minority governments imposed on African peoples by the use of force and under cover of racial legislation; and the transfer of power to settler minorities would amount to a violation of the provision of United Nations Resolution 1514 (XV)(2) on Independence;

4. *Reaffirms* its support of African nationalists of Southern Rhodesia and solemnly declares that if power in Southern Rhodesia were to be usurped by a racial white minority government, State Members of the Conference would lend their effective moral and practical support to any legitimate measures which the African nationalist leaders may devise for the purpose of recovering such power and restoring it to the African majority; the Conference also *undertakes* henceforth to concert the efforts of its Members to take such measures as the situation demands against any State according recognition to the minority government;

5. *Reaffirms,* further, that the territory of South-West Africa is an African territory under international mandate and that any attempt by the Republic of South Africa to annex it would be regarded as an act of aggression: *Reaffirms* also its determination to render all necessary support to the second phase of the South-West Africa case before the International Court of Justice: *Reaffirms* still further, the inalienable right of the people of South-West Africa to self-determination and independence;

6. *Intervenes* expressly with the Great Powers so that they cease, without exception, to lend direct or indirect support or assistance to all those colonialist governments which might use such assistance to suppress national liberation movements, particularly the Portuguese Government which is conducting a real war of genocide in Africa; *informs* the allies of colonial powers

(2) Vol. 164, page 800.

that they must choose between their friendship for the African peoples and their support of powers that oppress African peoples ;

7. *Decides* to send a delegation of Ministers of Foreign Affairs to speak on behalf of all African States in the meetings of the Security Council which will be called to examine the report of the United Nations Committee of 24 on the situation in African territories under Portuguese domination: (the Conference has decided the members of the Delegation to be: Liberia, Tunisia, Madagascar and Sierra Leone) ;

8. *Decides* further the breaking off of diplomatic and consular relations between all African States and the Governments of Portugal and South Africa so long as they persist in their present attitude towards decolonisation ;

9. *Asks for* an effective boycott of the foreign trade of Portugal and South Africa by:

(*a*) prohibiting the import of goods from those two countries ;

(*b*) closing African ports and airports to their ships and planes ;

(*c*) forbidding the planes of those two countries to overfly the territories of all African States.

10. *Earnestly invites* all national liberation movements to co-ordinate their efforts by establishing common action fronts wherever necessary so as to strengthen the effectiveness of their struggle and the rational use of the concerted assistance given them ;

11. *Establishes* a Co-ordinating Committee consisting of Algeria, Ethiopia, Guinea, Congo (Leopoldville), Nigeria, Senegal, Tanganyika, United Arab Republic and Uganda, with Headquarters in Dar-es-Salaam, Tanganyika, responsible for harmonising the assistance from African States and for managing the Special Fund to be set up for that purpose ;

12. *Establishes* a Special Fund to be raised by voluntary contribution of Member States for the current year, the deadline for such contribution being 15 July 1963 ; *Requests* the Co-ordinating Committee to propose the necessary fund and the apportionment among Member States to the Council of Ministers so as to supply the necessary practical and financial aid to the various African national liberation movements ;

13. *Appoints* the day of 25 May as African Liberation Day so as to organise popular demonstrations on that day to disseminate the recommendations of the Summit Conference and to collect sums over and above the national contributions for the Special Fund: (the Conference has decided that this year it will be the opening day of the 18th Session of the General Assembly of the United Nations);

14. *Decides* to receive on the territories of independent African States, nationalists from liberation movements in order to give them training in all sectors and afford young people all the assistance they need for their education and vocational training;

15. *Decides* further to promote, in each State, the transit of all material aid and the establishment of a body of volunteers in various fields, with a view to providing the various African national liberation movements with the assistance they need in the various sectors.

(b) *Apartheid and Racial Discrimination*

The Summit Conference of Independent African States meeting in Addis Ababa, Ethiopia, from 22 May to 25 May 1963;

Having considered all aspects of the questions of apartheid and racial discrimination;

Unanimously convinced of the imperious and urgent necessity of co-ordinating and intensifying their efforts to put an end to the South African Government's criminal policy of apartheid and wipe out racial discrimination in all its forms;

Have agreed unanimously to concert and co-ordinate their efforts and actions in this field, and to this end have decided on the following measures:

(*a*) To grant scholarships, educational facilities and possibilities of employment in African government services to refugees from South Africa;

(*b*) To support the recommendations presented to the Security Council and the General Assembly by the Special Committee of the United Nations on the apartheid policies of the South African Government;

(*c*) To despatch a delegation of Foreign Ministers to inform the Security Council of the explosive situation existing in South

Africa; (the Conference has decided the members of the Delegation to be: Liberia, Tunisia, Madagascar and Sierra-Leone);

(*d*) To co-ordinate concerted measures of sanction against the Government of South Africa;

1. *Appeals* to all States, and more particularly to those which have traditional relations and co-operate with the Government of South Africa, to apply strictly UN resolution 1761 (XVII) of 6 November 1962[3] concerning apartheid;

2. *Appeals* to all governments who still have diplomatic, consular and economic relations with the Government of South Africa to break off those relations and to cease any other form of encouragement for the policy of apartheid;

3. *Stresses* the great responsibility incurred by the colonial authorities administering territories neighbouring South Africa in the pursuit of the policy of apartheid;

4. *Condemns* racial discrimination in all its forms in Africa and all over the world;

5. *Expresses* the deep concern aroused in all African peoples and governments by the measures of racial discrimination taken against communities of African origin living outside the continent and particularly in the United States of America; *Expresses* appreciation for the efforts of the Federal Government of the United States of America to put an end to these intolerable malpractices which are likely seriously to deteriorate relations between the African peoples and governments on the one hand and the people and Government of the United States of America on the other.

(c) *Africa and the United Nations*

The Summit Conference of Independent African States meeting in Addis Ababa, Ethiopia, from 22 May to 25 May 1963;

Believing that the United Nations is an important instrument for the maintenance of peace and security among nations and for the promotion of the economic and social advancement of all peoples;

Reiterating its desire to strengthen and support the United Nations;

(3) Vol. 166, page 996.

Noting with regret that Africa as a region is not equitably represented in the principal organs of the United Nations ;

Convinced of the need for closer co-operation and co-ordination among the African Member States of the United Nations ;

1. *Reaffirms* its dedication to the purposes and principles of the United Nations Charter(4) and its acceptance of all obligations contained in the Charter, including financial obligations ;

2. *Insists* that Africa as a geographical region should have equitable representation in the principal organs of the United Nations, particularly the Security Council and the Economic and Social Council and its Specialised Agencies ;

3. *Invites* African Governments to instruct their representatives in the United Nations to take all possible steps to achieve a more equitable representation of the African region ;

4. *Further invites* African Governments to instruct their representatives in the United Nations, without prejudice to their membership in and collaboration with the African-Asian Group, to constitute a more effective African Group with a permanent secretariat so as to bring about closer co-operation and better co-ordination in matters of common concern.

(*d*) *General Disarmament*

The Summit Conference of Independent African States meeting in Addis Ababa, Ethiopia, from 22 May to 25 May 1963 ;

Having considered all aspects of the questions of general disarmament ;

Unanimously convinced of the imperious and urgent necessity of co-ordinating and intensifying their efforts to contribute to the achievement of a realistic disarmament programme through the signing, by all States concerned, of a treaty on general and complete disarmament under strict and effective international control ;

Have agreed unanimously to concert and co-ordinate their efforts and actions in this field, and to this end have decided on the following measures:

1. To affirm and respect the principle of declaring Africa a Denuclearised Zone: to oppose all nuclear and thermo-nuclear

(4) Vol. 145, page 805.

tests, as well as the manufacture of nuclear weapons ; and to promote the peaceful uses of nuclear energy ;

2. The destruction of existing nuclear weapons ;

3. To undertake to bring about, by means of negotiation, the end of military occupation of the African continent and the elimination of military bases and nuclear tests, which elimination constitutes a basic element of African Independence and Unity ;

4. To appeal to the Great Powers to:

(*a*) reduce conventional weapons ;

(*b*) put an end to the arms race ; and

(*c*) sign a general and complete disarmament agreement under strict and effective international control ;

5. To appeal to the Great Powers, in particular to the Soviet Union and the United States of America, to use their best endeavours to secure the objectives stated above.

(*e*) *Areas of Co-operation : Economic Problems*

The Summit Conference of Independent African States meeting in Addis Ababa, Ethiopia, from 22 May to 25 May 1963 ;

Concerned with the active share of the developing countries in world trade and at the persistent deterioration of the terms of trade in their external commercial relationships ;

Conscious of the fact that owing to its extreme dependence on the export of primary products, Africa, more than any other developing region, is adversely affected by persistent deteriorations in export earnings ;

Convinced of the necessity for concerted action by the African countries in order to ensure a much more remunerative price from the sale of their primary products ;

Mindful of the need to eliminate the barriers to trade among the African countries and thereby to strengthen their economies ;

Considering that economic development, including the expansion of trade on the basis of fair and remunerative prices, should tend to eliminate the need for external economic aid and that such external economic aid should be unconditional and should not prejudice the independence of African States ;

Considering the imperative necessity for African countries to pool their resources and harmonise their activities in the economic field ;

Aware of the necessity for the joint utilisation of river basin resources, the study of the use of Sahara Zone, the co-ordination of means of transport and communication systems, and the provision of research facilities, all of which serve to stimulate economic growth and expansion of trade, both regionally and inter-regionally ;

Convinced that the acceleration of the rate of economic and social development of the various African countries lies in the industrialisation of these countries and the diversification of their production ;

Considering the serious problems arising from the great shortage of trained and skilled personnel, the lack of qualified staff, scarce capital resources, grossly inadequate infrastructure, limited outlines for industrial products and the far too inadequate participation of Africans in the economic construction of their countries ;

Desiring to explore the effects of regional economic groupings on the African economy ;

Noting with satisfaction that the Executive Secretary of the Economic Commission for Africa has decided to convene a Conference of African Ministers of Finance, to be held in Khartoum (Sudan) in July 1963, with a view to setting up an African Development Bank ;

Resolves to :

1. *Appoint,* pending the establishment of the Economic Commission of the Organisation, a preparatory economic committee to study, in collaboration with governments and in consultation with the Economic Commission for Africa, *inter alia,* the following questions and submit their findings to Member States:

(*a*) the possibility of establishing a free trade area between the various African countries ;

(*b*) the establishment of a common external tariff to protect the emergent industries and the setting up of a raw material price stabilisation fund ;

(*c*) the restructuralization of international trade ;

(*d*) the means for developing trade among African countries by the organization and participation in African trade fairs and exhibitions and by the granting of transport and transit facilities ;

(*e*) the co-ordination of means of transport and the establishment of road, air and maritime companies ;

(*f*) the establishment of an African Payments and Clearing Union ;

(*g*) a progressive freeing of national currencies from all non-technical external attachments and the establishment of a Pan-African monetary zone ; and

(*h*) the ways and means of effecting the harmonisation of existing and future national development plans.

2. *Invite* ECA to request its Executive Secretary to give the Commission of Experts all the necessary support and assistance which it may require in the fulfilment of its assignment ;

3. *Welcome* the forthcoming Conference of African Ministers of Finance and give the respective Ministers of Finance instructions to take the necessary measures for the rapid establishment of the African Development Bank ;

4. *Note* with satisfaction the progress achieved by the Economic Commission for Africa in establishing the Dakar Institute of Economic Development and Planning and affirm their profound interest in that institute and their intention of giving it appropriate financial and other support ;

5. *Welcome* the forthcoming World Conference on Trade and Development which is to examine international trade problems in relation to the economic development of emerging countries ;

6. *Urge* all States concerned to conduct negotiations, in concert, with a view to obtaining from the consumer countries real price stabilization and guaranteed outlets on the world market so that the developing countries may derive considerably greater revenue from international trade.

(f) *Areas of Co-operation : the future of the Commission for Technical Co-operation in Africa* (*C.C.T.A.*)

The Summit Conference of Independent African States meeting in Addis Ababa, Ethiopia, from 22 May to 25 May 1963 ;

Considering that at the last C.C.T.A. session in Dar-es-Salaam in January to February 1963, the final adoption of the new C.C.T.A. convention was deferred until the Heads of African States had had an opportunity to consider the role and direction of the C.C.T.A. within the overall context of Pan-African Co-operation,

And in view of the fact that Article 23 of this new convention lays down as follows :

" Pending the signature and the ratification of this convention as provided in Article 16, the Parties having initialled this convention agree to apply it provisionally as if it had entered into force as from the date of initialling, subject to any decision which may be taken by the Heads of African and Malagasy States at the Conference at Addis Ababa or at any subsequent conference on the role of the C.C.T.A. within the overall context of Pan-African Co-operation ",

Decides to maintain C.C.T.A. and to reconsider its role in order to bring it eventually within the scope of the Organisation of African States which will have, as one of its arms, an organ for technical, scientific and cultural co-operation.

MANILA ACCORD between the Federation of Malaya, Indonesia and the Philippines.—Manila, 31st July, 1963[1]

The Governments of the Federation of Malaya, the Republic of Indonesia and the Republic of the Philippines, prompted by their keen and common desire to have a general exchange of views on current problems concerning stability, security, economic development and social progress of the three countries and of the region and upon the initiative of President Diosdado Macapagal, agreed that a Conference of Ministers of the three countries be held in Manila on 7th June 1963 for the purpose of achieving common understanding and close fraternal co-operation among themselves. Accordingly, Tun Abdul Razak, Deputy Prime Minister of the Federation of Malaya ; Dr. Subandrio, Deputy First Minister/Minister of Foreign Affairs of the Republic of Indonesia ; and Honorable

(1) United Nations Treaty Series, Vol. 550, page 344. Entered into force on signature.

Emmanuel Pelaez, Vice President of the Philippines and concurrently Secretary of Foreign Affairs, met in Manila from 7 to 11 June 1963.

2. The deliberations were held in a frank manner and in a most cordial atmosphere in keeping with the spirit of friendship prevailing in the various meetings held between President Soekarno of the Republic of Indonesia, and Prime Minister Tunku Abdul Rahman Putra of the Federation of Malaya, and President Diosdado Macapagal. This Ministerial Conference was a manifestation of the determination of the nations in this region to achieve closer co-operation in their endeavour to chart their common future.

3. The Ministers were of one mind that the three countries share a primary responsibility for the maintenance of the stability and security of the area from subversion in any form or manifestation in order to preserve their respective national identities, and to ensure the peaceful development of their respective countries and of their region, in accordance with the ideals and aspirations of their peoples.

4. In the same spirit of common and constructive endeavour, they exchanged views on the proposed Confederation of nations of Malay origin, the proposed Federation of Malaysia, the Philippine claim to North Borneo and related problems.

THE MACAPAGAL PLAN

5. Recognising that it is in the common interest of their countries to maintain fraternal relations and to strengthen co-operation among their peoples who are bound together by ties of race and culture, the three Ministers agreed to intensify the joint and individual efforts of their countries to secure lasting peace, progress and prosperity for themselves and for their neighbours.

6. In this context, the three Ministers supported President Macapagal's plan envisaging the grouping of the three nations of Malay origin working together in closest harmony but without surrendering any portion of their sovereignty. This calls for the establishment of the necessary common organs.

7. The three Ministers agreed to take the initial steps towards this ultimate aim by establishing machinery for frequent and regular consultations. The details of such machinery will be

further defined. This machinery will enable the three governments to hold regular consultations at all levels to deal with matters of mutual interest and concern consistent with the national, regional and international responsibilities or obligations of each country without prejudice to its sovereignty and independence. The Ministers agreed that their countries will endeavour to achieve close understanding and co-operation in dealing with common problems relating to security, stability, economic, social and cultural development.

8. In order to accelerate the process of growth towards the ultimate establishment of President Macapagal's plan, the Ministers agreed that each country shall set up its own National Secretariat. Pending the establishment of a Central Secretariat for the consultative machinery, the National Secretaries should co-ordinate and co-operate with each other in the fulfilment of their tasks.

9. The Ministers further agreed to recommend that Heads of Government and Foreign Ministers meet at least once a year for the purpose of consultations on matters of importance and common concern.

MALAYSIA AND NORTH BORNEO

10. The Ministers reaffirmed their countries' adherence to the principle of self-determination for the peoples of non-self-governing territories. In this context, Indonesia and the Philippines stated that they would welcome the formation of Malaysia provided the support of the people of the Borneo territories is ascertained by an independent and impartial authority, the Secretary-General of the United Nations or his representative.

11. The Federation of Malaya expressed appreciation for this attitude of Indonesia and the Philippines and undertook to consult the British Government and the Government of the Borneo territories with a view to inviting the Secretary-General of the United Nations or his representative to take the necessary steps in order to ascertain the wishes of the people of those territories.

12. The Philippines made it clear that its position on the inclusion of North Borneo in the Federation of Malaysia is

subject to the final outcome of the Philippine claim to North Borneo. The Ministers took note of the Philippine claim and the right of the Philippines to continue to pursue it in accordance with international law and the principle of the pacific settlement of disputes. They agreed that the inclusion of North Borneo in the Federation of Malaysia would not prejudice either the claim or any right thereunder. Moreover, in the context of their close association, the three countries agreed to exert their best endeavours to bring the claim to a just and expeditious solution by peaceful means, such as negotiation, conciliation, arbitration, or judicial settlement as well as other peaceful means of the parties' own choice, in conformity with the Charter of the United Nations(2) and the Bandung Declaration(3).

13. In particular, considering the close historical ties between the peoples of the Philippines and North Borneo as well as their geographical propinquity, the Ministers agreed that in the event of North Borneo joining the proposed Federation of Malaysia the Government of the latter and the Government of the Philippines should maintain and promote the harmony and the friendly relations subsisting in their region to ensure the security and stability of the area.

MEETING OF HEADS OF GOVERNMENT

14. The Ministers agreed to recommend that a Meeting of their respective Heads of Government be held in Manila not later than the end of July 1963.

15. The Ministers expressed satisfaction over the atmosphere of brotherliness and cordiality which pervaded their Meeting and considered it as a confirmation of their close fraternal ties and as a happy augury for the success of future consultations among their leaders.

16. The Ministers agreed to place on record their profound appreciation of and gratitude for the statesmanlike effort of President Macapagal whose courage, vision and inspiration not only facilitated the holding of this historic Meeting but also contributed towards the achievement for the first time of a

(2) Vol. 145, page 805.
(3) Vol. 162, page 367.

unity of purpose and a sense of common dedication among the peoples of Malaya, Indonesia and the Philippines.

Approved and accepted, Manila, July 31, 1963.

SOEKARNO
President of the Republic of Indonesia

DIOSDADO MACAPAGAL
President of the Philippines

TUNKU ABDUL RAHMAN PUTRA AL-HAJ
Prime Minister of the Federation of Malaya

DECLARATION by the Federation of Malaya, Indonesia and the Philippines.—Manila, 3rd August, 1963(1)

The President of the Republic of Indonesia, the President of the Philippines and the Prime Minister of the Federation of Malaya, assembled in a Summit Conference in Manila from July 30 to August 5, 1963, following the meeting of their Foreign Ministers held in Manila from June 7 to 11, 1963 ;

Conscious of the historic significance of their coming together for the first time as leaders of sovereign States that have emerged after long struggles from colonial status to independence ;

Desiring to achieve better understanding and closer co-operation in their endeavour to chart their common future ;

Inspired also by the spirit of Asian-African solidarity forged in the Bandung Conference of 1955(2) ;

Convinced that their countries, which are bound together by close historical ties of race and culture, share a primary responsibility for the maintenance of the stability and security of the area from subversion in any form or manifestation in order to preserve their respective national identities and to ensure the peaceful development of their respective countries and their region in accordance with the ideals and aspirations of their peoples ; and

(1) United Nations Treaty Series, Vol. 550, page 352. Entered into force on signature.
(2) Vol. 162, page 359.

Determined to intensify the joint and individual efforts of their countries to secure lasting peace, progress and prosperity for themselves and their neighbours in a world dedicated to freedom and justice ;

Do hereby declare

First, that they reaffirm their adherence to the principle of equal rights and self-determination of peoples as enunciated in the United Nations Charter([3]) and the Bandung Declaration([4]) ;

Second, that they are determined, in the common interest of their countries, to maintain fraternal relations, to strengthen co-operation among their peoples in the economic, social and cultural fields in order to promote economic progress and social well-being in the region, and to put an end to the exploitation of man by man and of one nation by another ;

Third, that the three nations shall combine their efforts in the common struggle against colonialism and imperialism in all their forms and manifestations and for the eradication of the vestiges thereof in the region in particular and the world in general ;

Fourth, that the three nations, as new emerging forces in the region, shall co-operate in building a new and better world based on national freedom, social justice and lasting peace ; and

Fifth, that in the context of the joint endeavours of the three nations to achieve the foregoing objectives, they have agreed to take initial steps towards the establishment of Mapilindo by holding frequent and regular consultations at all levels to be known as Mushawarah Mapilindo.

SOEKARNO
President of the Republic of Indonesia

DIOSDADO MACAPAGAL
President of the Philippines

TUNKU ABDUL RAHMAN PUTRA AL-HAJ
Prime Minister of the Federation of Malaya

([3]) Vol. 145, page 805.
([4]) Vol. 162, page 367 (Doc. G).

JOINT STATEMENT by the Federation of Malaya, Indonesia and the Philippines.—Manila, 5th August, 1963[1]

The President of the Republic of Indonesia, the President of the Philippines, and the Prime Minister of the Federation of Malaya met at a Summit Conference in Manila from July 30 to August 5, 1963.

1. Moved by a sincere desire to solve their common problems in an atmosphere of fraternal understanding, they considered, approved and accepted the Report and Recommendations of the Foreign Ministers of the three countries adopted in Manila on June 11, 1963 (hereafter to be known as the Manila Accord)[2].

2. In order to provide guiding principles for the implementation of the Manila Accord the Heads of Government have issued a declaration known as the Manila Declaration[3], embodying the common aspirations and objectives of the peoples and governments of the three countries.

3. As a result of the consultations amongst the three Heads of Government in accordance with the principles enunciated in the Manila Declaration, they have resolved various current problems of common concern.

4. Pursuant to paragraphs 10 and 11 of the Manila Accord the United Nations Secretary-General or his representative should ascertain prior to the establishment of the Federation of Malaysia the wishes of the people of Sabah (North Borneo) and Sarawak within the context of General Assembly Resolution 1541 (XV)[4], Principle 9 of the Annex, by a fresh approach, which in the opinion of the Secretary-General is necessary to ensure complete compliance with the principle of self-determination within the requirements embodied in Principle 9, taking into consideration:

(i) the recent elections in Sabah (North Borneo) and Sarawak but nevertheless further examining, verifying and satisfying himself as to whether

(*a*) Malaysia was a major issue, if not the main issue;

(1) United Nations Treaty Series Vol. 550, page 356.
(2) Page 245.
(3) *See* immediately preceding document.
(4) United Nations, *Official Records of the General Assembly, Fifteenth Session, Supplement No. 16* (A/4684), p. 29.

(*b*) Electoral registers were properly compiled ;

(*c*) elections were free and there was no coercion ; and

(*d*) votes were properly polled and properly counted ; and

(ii) the wishes of those who, being qualified to vote, would have exercised their right of self-determination in the recent elections had it not been for their detention for political activities, imprisonment for political offences or absence from Sabah (North Borneo) or Sarawak.

5. The Secretary-General will be requested to send working teams to carry out the task set out in paragraph 4.

6. The Federation of Malaya, having undertaken to consult the British Government and the Governments of Sabah (North Borneo) and Sarawak under paragraph 11 of the Manila Accord on behalf of the three Heads of Government, further undertake to request them to co-operate with the Secretary-General and to extend to him the necessary facilities so as to enable him to carry out his task as set out in paragraph 4.

7. In the interest of the countries concerned, the three Heads of Government deem it desirable to send observers to witness the carrying out of the task to be undertaken by the working teams, and the Federation of Malaya will use its best endeavours to obtain the co-operation of the British Government and the Governments of Sabah (North Borneo) and Sarawak in furtherance of this purpose.

8. In accordance with paragraph 12 of the Manila Accord, the three Heads of Government decided to request the British Government to agree to seek a just and expeditious solution to the dispute between the British Government and the Philippine Government concerning Sabah (North Borneo) by means of negotiation, conciliation and arbitration, judicial settlement, or other peaceful means of the parties' own choice in conformity with the Charter of the United Nations. The three Heads of Government take cognizance of the position regarding the Philippine claim to Sabah (North Borneo) after the establishment of the Federation of Malaysia as provided under paragraph 12 of the Manila Accord, that is, that the inclusion of Sabah (North Borneo) in the Federation of Malaysia does not prejudice either the claim or any right thereunder.

9. Pursuant to paragraphs 6, 7, 8 and 9 of the Manila Accord and the Fifth Principle of the Manila Declaration, that is, the initial steps should be taken towards the establishment of Mapilindo by holding frequent and regular consultations at all levels to be known as Mushawarah Mapilindo, it is agreed that each country shall set up a National Secretariat for Mapilindo affairs and as a first step the respective National Secretariats will consult together with a view to co-ordinating and co-operating with each other in the study on the setting up of the necessary machinery for Mapilindo.

10. The three Heads of Government emphasized that the responsibility for the preservation of the national independence of the three countries and of the peace and security in their region lies primarily in the hands of the governments and the peoples of the countries concerned, and that the three governments undertake to have close consultations (*mushawarah*) among themselves on these matters.

11. The three Heads of Government further agreed that foreign bases—temporary in nature—should not be allowed to be used directly or indirectly to subvert the national independence of any of the three countries. In accordance with the principle enunciated in the Bandung Declaration(5), the three countries will abstain from the use of arrangements of collective defence to serve the particular interests of any of the big powers.

12. President Sukarno and Prime Minister Abdul Rahman express their deep appreciation for the initiative taken by President Macapagal in calling the Summit Conference which, in addition to resolving their differences concerning the proposed Federation of Malaysia, resulted in paving the way for the establishment of Mapilindo. The three Heads of Government conclude this Conference, which has greatly strengthened the fraternal ties which bind their three countries and extended the scope of their co-operation and understanding, with renewed confidence that their governments and peoples will together make a significant contribution to the attainment of just and enduring peace, stability and prosperity in the region.

SOEKARNO DIOSDADO MACAPAGAL

TUNKU ABDUL RAHMAN PUTRA AL-HAJ

(5) *See* Vol. 162, page 359.

BOUNDARY AGREEMENT between China and Pakistan. —Peking, 2nd March, 1963[1]

The Government of the People's Republic of China and the Government of Pakistan,

Having agreed, with a view to ensuring the prevailing peace and tranquillity on the border, formally to delimit and demarcate the boundary between China's Sinkiang and the contiguous areas, the defence of which is under the actual control of Pakistan, in a spirit of fairness, reasonableness, mutual understanding and mutual accommodation, and on the basis of Ten Principles, as enunciated in the Bandung Conference ;[2]

Being convinced that this would not only give full expression to the desire of the peoples of China and Pakistan for developing good-neighbourly and friendly relations, but also help safeguard Asian and world peace ;

Have resolved for this purpose to conclude the present Agreement and appointed as their respective plenipotentiaries, the following:

Marshal Chen Yi, Minister for Foreign Affairs, for the Government of the People's Republic of China,

Zulfiqar Ali Bhutto, Minister of External Affairs, for the Government of Pakistan,

Who, having mutually examined their full powers, found them to be in good and due form, have agreed upon the following:

ARTICLE 1

In view of the fact that the boundary between China's Sinkiang and the contiguous areas, the defence of which is under the actual control of Pakistan, has never been formally delimited, the two Parties agree to delimit it on the basis of the traditional customary boundary line, including natural features, and in a spirit of equality, mutual benefit and friendly co-operation.

(1) U.N. document S/5263, Annex I.
(2) *See* Vol. 162, page 359–369.

ARTICLE 2

I. In accordance with the principle expounded in Article 1 of the present Agreement, the two parties have fixed, as follows, the alignment of the entire boundary line between Chinese Sinkiang and the contiguous areas, the defence of which is under the actual control of Pakistan.

(1) Commencing from its north-western extremity at height 5,630 metres (a peak, the reference co-ordinates of which are approximately longitude 74°34′ E and latitude 37°03′ N), the boundary line runs generally eastward and then south-eastward strictly along the main watershed between the tributaries of the Tashkurgan River of the Tarim River system on the one hand and the tributaries of the Hunza River of the Indus River system on the other hand, passing through the Kilik Daban (Dawan), the Mintaka Daban (Pass), the Kharchanai Daban (named on the Chinese map only)([3]), the Kutejilga Daban (named on the Chinese map only), and the Parpik Pass (named on the Pakistan map only), and reaches the Khunjerab (Yutr) Daban (Pass).

(2) After passing through the Khunjerab (Yutr) Daban (Pass) the boundary line runs generally southward along the above-mentioned main watershed up to a mountain-top south of the Daban (Pass), where it leaves the main watershed to follow the crest of a spur lying generally in a south-easterly direction, which is the watershed between the Akjilga River (a nameless corresponding river on the Pakistan map) on the one hand, and the Taghdumbash (Oprang River) and the Keliman Su (Oprang Jilga) on the other hand. According to the map of the Chinese side, the boundary line, after leaving the south-eastern extremity of this spur, runs along a small section of the middle line of the bed of the Keliman Su to reach its confluence with the Kelechin River. According to the map of the Pakistan side, the boundary line, after leaving the south-eastern extremity of this spur reaches the sharp bend of the Shaksgam or Muztagh River.

(3) From the aforesaid point, the boundary line runs up the Kelechin River (Shaksgam or Muztagh River) along the middle line of its bed to its confluence (reference co-ordinates approximately longitude 76°02′ E and latitude 36°26′ N) with the Sorbulak Daria (Shimshal River or Braldu River).

([3]) Not reproduced here.

(4) From the confluence of the aforesaid two rivers, the boundary line, according to the map of the Chinese side, ascends the crest of a spur and runs along it to join the Karakoram Range main watershed at a mountain-top (reference co-ordinates approximately longitude 75°54′ E and latitude 36°15′ N), which on this map is shown as belonging to the Shorbulak Mountain. According to the map of the Pakistan side, the boundary line from the confluence of the above-mentioned two rivers ascends the crest of a corresponding spur and runs along it, passing through height 6,520 metres (21,390 feet) until it joins the Karakoram Range main watershed at a peak (reference co-ordinates approximately longitude 75°57′ E and latitude 36°03′ N).

(5) Thence the boundary line, running generally southward and then eastward, strictly follows the Karakoram Range main watershed which separates the Tarim River drainage system from the Indus River drainage system, passing through the East Mustagh Pass (Muztagh Pass), the top of the Chogri Peak (K2), the top of the Broad Peak, the top of the Gasherbrum Mountain (8,068), Indirakoli Pass (named on the Chinese map only) and the top of the Teram Kangri Peak, and reaches its south-eastern extremity at the Karakoram Pass.

II. The alignment of the entire boundary line, as described in Section I of this Article, has been drawn on the 1/1,000,000 scale map of the Chinese side in Chinese and the 1/1,000,000 scale map of the Pakistan side in English, which are signed and attached(*) to the present Agreement.

III. In view of the fact that the maps of the two sides are not fully identical in their representation of topographical features, the two Parties have agreed that the actual features on the ground shall prevail, so far as the location and alignment of the boundary described in Section I is concerned ; and that they will be determined as far as possible by joint survey on the ground.

ARTICLE 3

The two Parties have agreed that:

I. Wherever the boundary follows a river, the middle line of the river bed shall be the boundary line ; and that

II. Wherever the boundary passes through a Daban (Pass), the water-parting line thereof shall be the boundary line.

ARTICLE 4

I. The two Parties have agreed to set up, as soon as possible, a Joint Boundary Demarcation Commission. Each side will appoint a Chairman, one or more Members and a certain number of Advisers and technical staff. The Joint Boundary Commission is charged with the responsibility, in accordance with the provisions of the present Agreement, to hold concrete discussions on and carry out the following tasks jointly:

(1) To conduct necessary surveys of the boundary area on the ground, as stated in Article 2 of the present Agreement, so as to set up boundary markers at places considered to be appropriate by the two Parties and to delineate the boundary line on the jointly prepared accurate maps.

(2) To draft a Protocol setting forth in detail the alignment of the entire boundary line and location of all the boundary markers and prepare and get printed detailed maps to be attached to the Protocol with the boundary line and the location of the boundary markers shown on them.

II. The aforesaid Protocol(4), upon being signed by the representatives of the Governments of the two countries, shall become an annex to the present Agreement, and the detailed maps shall replace the attached maps to the present Agreement.

III. Upon the conclusion of the above-mentioned Protocol, the tasks of the Joint Commission shall be terminated.

ARTICLE 5

The two Parties have agreed that any dispute concerning the boundary which may arise after the delimitation of the boundary line actually existing between the two countries shall be settled peacefully by the two sides through friendly consultations.

ARTICLE 6

The two Parties have agreed that after the settlement of the Kashmir dispute between Pakistan and India, the sovereign authority concerned will re-open negotiations with the Government of the People's Republic of China, on the boundary, as

(4) Signed at Rawalpindi 26 March, 1965.

described in Article 2 of the present agreement, of Kashmir, so as to sign a Boundary Treaty to replace the present Agreement.

Provided that in the event of that sovereign authority being Pakistan, the provisions of this Agreement and of the aforesaid Protocol shall be maintained in the formal Boundary Treaty to be signed between Pakistan and the People's Republic of China.

ARTICLE 7

The present Agreement shall enter into force on the date of its signature.

Done in duplicate in Peking on 2 March 1963 in the Chinese and English language, both texts being equally authentic.

MARSHAL CHEN YI
Plenipotentiary of the Government of the People's Republic of China

ZULFIQAR ALI BHUTTO
Plenipotentiary of the Government of Pakistan

RESOLUTION of the Council of Ministers of the European Economic Community proposing quarterly meetings with the Western European Union.—Brussels, 11th July, 1963

(Translation)

The Council propose to the British Government that quarterly contacts be arranged within the framework of Western European Union in order to enable the seven member countries to discuss and take stock of the political and economic situation in Europe. It proposes every three months to inscribe on the agenda of the Ministerial meetings, in addition to political questions, an item worded: "Exchange of Views on the European Economic Situation".

In principle, discussions will take place at Ministerial level. When economic problems are to be discussed, the E.E.C. Commission will be invited by the Ministers of the Six to participate in the meeting.

DECISION of the European Economic Community approving the Convention of Association with African and Malagasy States, signed at Yaoundé on 20th July, 1963.—Brussels, 5th November, 1963

(Translation)

The Council of the European Economic Community,

Having regard to the provisions of the Treaty setting up the European Economic Community(1),

Having regard to the Convention of Association between the European Economic Community and the African and Malagasy States associated with that Community(2), signed at Yaoundé on 20th July 1963(3),

After consultation with the Assembly on 16th September 1963,

Has decided:

ARTICLE 1

The Convention of Association between the European Economic Community and the African and Malagasy States associated with that Community, its Annex, the seven Protocols appended thereto and the Final Act, all signed at Yaoundé on the twentieth day of July nineteen hundred and sixty-three, are concluded, approved and confirmed in the name of the Community.

ARTICLE 2

The President of the Council shall proceed to notify this Decision in accordance with Article 56 of the Convention.

Done at Brussels, 5th November 1963.

The President

J. M. A. H. LUNS

[NOTE.—An Agreement of Association between the E.E.C. and Greece was signed at Athens on 9th July, 1961, and entered into force on 1st November, 1962. A similar Agreement be-

(1) Vol. 163, page 206.

(2) Burundi, Cameroon, Central African Republic, Chad, Congo (Brazzaville), Congo (Leopoldville), Dahomey, Gabon, Ivory Coast, Mali, Mauritania, Niger, Rwanda, Senegal, Somalia, Togo, Upper Volta, and the Malagasy Republic.

(3) Published in the *Journal officiel des Communautés européennes* No. 93. The Convention entered into force on 1st June, 1964.

tween the E.E.C. and Turkey was signed at Ankara on 12th September, 1963, and entered into force on 1st December, 1964.]

EXCHANGE OF LETTERS between the Communist Parties of China and the Soviet Union on the holding of Bilateral Talks.—21st February/9th March, 1963[1]

(No. 1)—*The Central Committee of the Soviet Communist Party to the Central Committee of the Chinese Communist Party*

Moscow, 21st February, 1963.

Dear Comrades,

The central committee of the Communist Party of the Soviet Union, guided by the supreme interests of our common cause, has decided to write this letter to you in order to express our considerations concerning the need to make a common effort to strengthen the unity of the world communist movement in accordance with the principles of Marxism-Leninism, proletarian internationalism, and the Declaration and the Statement of the Moscow meetings. We are addressing you, being deeply convinced that in the present conditions there is no task more important for the Marxist-Leninist parties than the struggle for the cohesion of our ranks, for strengthening the unity of all the socialist countries.

All who treasure the great cause of peace and socialism cannot but feel serious concern over the situation which has arisen recently in the communist movement. The open, ever-sharpening polemics are shaking the unity of fraternal parties and doing serious damage to our common interests. The disputes which have arisen within the ranks of the international communist movement are hindering the successful struggle against imperialism, weakening the efforts of the socialist countries in the international arena and adversely affecting the activities of fraternal parties, especially the parties of those capitalist countries where a complicated internal political situation has arisen.

(1) Published in *Soviet News* (London) on 14th March, 1963.

The enemies of socialism are striving to take advantage of the differences that have arisen within the communist movement in order to divide the socialist countries, to split the national liberation movement and to strengthen their own positions.

In the conditions of the new balance of forces in the world, the imperialist aggressors are not in a position to overpower the closely-welded socialist community militarily. Therefore, they are mainly gambling on subverting our cohesion. If we do not have unity in the fight against our common enemy, if we act separately in face of imperialism, that can only weaken our efforts and, therefore, strengthen the position of the enemies of socialism. The direct duty of Marxist-Leninist parties, and above all the biggest parties like the Communist Party of the Soviet Union and the Communist Party of China, is not to permit events to develop in a direction that would confront the communist movement with serious difficulties, and to do everything possible in order to eliminate the present abnormal situation and achieve unity in the ranks of the communist movement and the cohesion of the socialist community.

We are deeply convinced that the difficulties now being experienced by the communist movement are transient and can certainly be overcome. We possess everything needed to strengthen our unity and cohesion. In assessing the present situation from the point of view of the historical prospects for the development of world socialism, one cannot fail to come to the conclusion that what we have in common, the main things that unite the Communist Party of the Soviet Union, the Communist Party of China, and all the Marxist-Leninist parties, are immeasurably higher and more significant than the existing differences.

We are welded together by the unity of the class interests of the proletariat, of the working people of the whole world, by the great Marxist-Leninist teaching. No matter how serious our differences might seem today, it cannot be forgotten that in the great historical struggle of the forces of socialism against capitalism, we stand together with you on the same side of the barricade.

While being aware of the entire complexity of the present situation, we consider at the same time that the existing differences should not be exaggerated and the colours should not be laid on too thickly.

An objective analysis of the discussion going on in the communist movement shows that in many instances in the course of the polemics, the differences that arise are artificially inflated and exacerbated, and an undue stress is laid on disputed issues. The heat of polemics at times prevents a calm and sober appraisal of the essence of the problems that have arisen, eclipsing the main things that underlie our unity.

The Marxist-Leninist parties are in possession of jointly worked out programmatic documents—the Declaration and the Statement of the Moscow meetings—loyalty to which they invariably stress. Steadfastly carrying out the common line agreed upon by the world communist movement, the Communist Party of the Soviet Union is waging an active struggle against imperialism, for the triumph of the great ideals of socialism and communism all over the globe. Our party spares no efforts in the struggle to prevent a new world war and to strengthen peace and the security of the peoples.

The Communist Party of the Soviet Union and the Soviet government support the national liberation movement by every means—economic, political, and even by rendering assistance in arms. Faithful to proletarian internationalism, the Communist Party of the Soviet Union always follows the militant slogan: "Workers of all countries, unite!" The C.P.S.U. works to strengthen the world socialist community, to strengthen its influence on the entire course of historical development. The successes of communist construction in the Soviet Union are a contribution on the part of our people to the cause of strengthening world socialism, increasing its authority and its power of attraction.

The Communist Party of China, for its part, has continually declared that it firmly stands by the positions of the Declaration and the Statement and adheres to the conclusions and propositions contained therein, and that its main aim is to struggle against imperialism, for the triumph of socialism and communism all over the world. The Communist Party of China stresses its adherence to the policy of the peaceful co-existence of states with different social systems and acknowledges the correctness of the conclusion of the Statement concerning the possibility of preventing a new world war. The central committee of the Communist Party of China recognises that the principle of proletarian internationalism remains the

main principle guiding mutual relations among the Communist Parties and the socialist countries, and affirms its loyalty to the slogan " Workers of all countries, unite! "

Common positions on such paramount questions are a good basis for increasing cohesion and overcoming the difficulties that have arisen. Given firm adherence to the documents of the Moscow meetings, there is no substantial reason for exacerbating the existing differences, because a correct solution can be found to them.

Of course, it is not ruled out that different approaches to the understanding of certain problems of current world development can and do emerge in the communist movement. This can be explained by the different conditions in which this or that detachment of the world communist movement is working. But such differences of opinion, if they are not artificially exaggerated, should in no way result in a profound conflict; they can well be overcome through joint comradely consultations.

In view of all this, the central committee of the C.P.S.U. considers that it is especially important to take immediate concrete practical steps to ensure our unity and to improve the atmosphere in the relations between all fraternal parties. It was these considerations that guided the first secretary of the central committee of the C.P.S.U., Comrade N. S. Khrushchov, when, speaking at the Sixth Congress of the Socalist Unity Party of Germany, he proposed on behalf of our party that polemics among Communist Parties be discontinued, as well as criticism of other parties within one's own party. As is well known, this proposal has met with a wide response and support in the world communist movement.

In writing this letter, the central committee of the C.P.S.U. wants to take a new step towards overcoming the difficulties that have arisen. In the interests of strengthening our friendship and better mutual understanding we propose to the central committee of the Communist Party of China that a bilateral meeting be held of representatives of the C.P.S.U. and the Communist Party of China.

Taking into consideration the importance of this meeting, and in order to be more sure of achieving its aims, we would rather have the aforementioned meeting held at a high level.

During the talks it would be possible to take up point by point all the major questions of interest to both parties, especially those relating to the common tasks of our struggle. As for the problems on which different viewpoints actually prove to exist, agreement should be reached on measures that would help to bring our position closer to each other. If you agree to such a meeting, the place and time for holding it could be settled additionally.

A meeting of representatives of the Communist Party of the Soviet Union and the Communist Party of China, the significance of which is obvious to everyone, would also play an important role in preparing a conference of Marxist-Leninist parties and in creating the favourable climate without which it could not work successfully.

The C.P.S.U., like many other fraternal parties, has advocated, as it does now, the calling of the conference, considering that there are sufficiently serious grounds for this. As we see it, the attention of the conference should be centred on the common tasks of the struggle against imperialism and its aggressive plans, for the further advancement of the liberation movement of the peoples, for the rallying and all-round development of the world socialist community and for increasing its influence throughout the world, for strengthening the unity of the communist movement.

We have already set out our view concerning the need to call a conference in our letter to you of May 31, 1962, and we now confirm it again. It is our common duty to do everything in our power to ensure that the conference leads to the further rallying of the Marxist-Leninist parties and to greater unity. We are prepared to study carefully and support any initiative aimed at overcoming the existing difficulties. The main thing needed now is good will to settle, on the basis of Marxism-Leninism, the problems that have arisen, and not to permit any actions that might hinder the strengthening of our unity.

Dear comrades,

All Marxist-Leninist parties are aware that a very important moment has arrived in the development of the world communist movement. Upon us, upon our parties, upon the correctness of our policy depends whether we shall continue

marching further together in the same ranks, or whether we shall allow ourselves to become involved in a hard and unnecessary struggle which could only lead to mutual estrangement, to the weakening of the forces of socialism, and to the undermining of the unity of the world communist movement.

On our parties rests the historical responsibility for enabling the Soviet and Chinese peoples to live as brothers. The unity of the C.P.S.U. and the Communist Party of China is of tremendous importance to the socialist community and to the entire communist movement. Future generations will not forgive us if, in the present conditions in which an acute struggle is going on between the two systems, we were to fail to find in ourselves the courage and strength, under the guidance of the principles of Marxism-Leninism and proletarian internationalism, to surmount the differences that have arisen.

History has placed on the first detachments of the revolutionary movement which have wrested their countries from the yoke of capitalism, the great task of establishing and developing relations of a new type, fraternal and friendly relations between peoples, and of creating a prototype of the future socialist society for all mankind. Our parties are in duty bound to find a way out of the existing situation and courageously and resolutely sweep away that which hinders our friendship. This is the only road that Marxist-Leninists can and must take.

We are profoundly convinced that the overcoming of the differences that have arisen would be in keeping, not only with the interests of the C.P.S.U. and the Communist Party of China, but also with the basic aims of the common struggle of the international communist movement for peace, national independence, democracy and socialism.

It is only necessary to display good will and a profound understanding of the aims and interests of our struggle ; then no obstacle can prevent us from strengthening and developing our friendship and the cohesion of the international communist movement.

With communist greetings,

CENTRAL COMMITTEE OF THE COMMUNIST PARTY OF THE SOVIET UNION

(No. 2)—*The Central Committee of the Chinese Communist Party to the Central Committee of the Soviet Communist Party*

9th March, 1963.

Dear Comrades,

The central committee of the Communist Party of China has received the letter of the central committee of the Communist Party of the Soviet Union dated February 21, 1963.

Comrade Mao Tse-tung has already set forth our appraisal of your letter during the talk with the Soviet Ambassador to China, Comrade Chervonenko, on February 23.

We welcome your letter. We welcome the desire for unity and cohesion. We welcome the normal attitude of equality towards fraternal parties shown in it. We welcome your definite approval of the proposal for convening a conference of representatives of Communist and Workers' Parties of the world.

To safeguard the unity of the socialist camp, to safeguard the unity of the international communist movement, to safeguard the unity of our two parties and two countries—this is and has been the consistent position of the Communist Party of China. We have never spared our efforts in the interests of unity. We are always distressed by, and opposed to, anything that is not in the interests of unity. We always rejoice in anything that is in the interests of unity.

We ought to face the fact that at present there are serious differences in the international communist movement on a series of important questions of principle. As for the causes of these differences, which your letter says "can be explained by the different conditions in which this or that detachment of the world communist movement is working," the more important factor, in our opinion, is the question of how Marxism-Leninism is understood and what attitude is taken towards it, and the question of how the Moscow Declaration and the Moscow Statement are understood and what attitude is taken towards them.

The Chinese Communist Party has always advocated that when differences on questions of principle arise between fraternal parties, the fraternal parties should start with the

desire for unity, carry on comradely discussion and mutual criticism so as to distinguish right from wrong, and reach the goal of unity on the basis of Marxism-Leninism.

That is to say, differences between fraternal parties should be settled inside the international communist movement through consultation on an equal footing in bilateral or multilateral talks, or at a meeting of the fraternal parties in accordance with the principles and methods set forth in the Moscow Declaration and the Moscow Statement.

The Chinese Communist Party is and always has been opposed to public exposure of differences between fraternal parties before the enemy. We are even more strongly opposed to the inflammation of debate and the complication of matters by the use of such methods as the convening of party congresses, the issuing of resolutions or statements by party central committees, and the publication of articles and speeches by party and state leaders.

We knew full well, and have said so more than once, that such practices would gladden only our enemies and create difficulties for our own ranks, and especially for the fraternal parties in capitalist countries. Events have proved that our concern was not uncalled for. More and more fraternal parties have now expressed the wish that public polemics should cease. This is a good sign. We ardently hope that the public polemics among the fraternal parties will cease in the shortest possible time.

The international communist movement has indeed reached a critical juncture. The time has indeed come when the differences among the fraternal parties have to be settled.

We have before us a very good international situation, one that is most favourable for the revolution in the world. There is no reason why we should not eliminate our differences and strengthen our unity.

In the world balance of forces, the superiority is on the side of socialism and the revolutionary people and not on the side of imperialism and its running dogs.

The two great historical currents of our time, the forces of socialism and the forces of the national and democratic revolutions in Asia, Africa and Latin America, are battering

the wall of the reactionary rule of imperialism, headed by the United States of America.

The contradictions among the imperialists, and especially those between U.S. imperialism and the other imperialist powers, are becoming deeper and sharper, and new conflicts are developing among them.

In this situation, what is of decisive significance for the international cause of the proletariat as a whole is the struggle against imperialism, headed by the United States, and the support for the revolutionary struggles of the oppressed nations and peoples of Asia, Africa and Latin America.

In this situation, the possibility of preventing a new world war and of preserving world peace will increase with the further development of the strength of the socialist countries, the further development of the national liberation movement, of the revolutionary struggles of the oppressed people, of the movement in defence of world peace and at the same time the full utilisation of the contradictions in the imperialist camp.

In this situation, what is necessary first of all is to strengthen the unity of the socialist camp and the unity of the international communist movement. With the unity of Marxist-Leninists as the nucleus, the strengthening of the unity of the world proletariat, the strengthening of the unity between the world proletariat and all the oppressed nations and people and the strengthening of the great unity of all the people of the world who favour opposition to imperialism is the guarantee of the triumph of our common cause.

The Moscow Declaration and Statement set forth the common line, course and policies for our common struggle.

These two documents formulate clear-cut conclusions on the nature of the present epoch, on the socialist camp, on the common laws of socialist revolution and socialist construction, on the struggle against imperialism, on war and peace, on the peaceful co-existence of countries with different social systems, on the national liberation movement, on the tasks and tactics of the working-class movement in the capitalist countries, on the struggle against revisionism as the main danger at present and on the struggle against dogmatism, on continuing the struggle against Yugoslav revisionism, which has betrayed Marxism-Leninism, on the guiding principles for relations among

fraternal parties and fraternal countries, independence, equality and the attainment of unanimity through consultations, etc.

In our words and deeds, we Chinese communists have unswervingly followed and maintained this correct line, this correct course and these correct policies. We are very glad that the Soviet comrades, too, have in their letter expressed their loyalty to these two programmatic documents.

To eliminate differences and to strengthen unity on the basis of Marxism-Leninism and on the basis of the Moscow Declaration and the Moscow Statement accords with the interests of the people of the whole world, with the interests of the communists of all countries, with the interests of the people of the socialist camp, and with the interests of the peoples of China and the Soviet Union. Conversely, if the differences should be further exacerbated and unity further undermined, it is not only future generations that would not forgive us—we would not be forgiven by the masses of the people of our own time.

With the purpose of eliminating differences and strengthening unity, the central committee of the Chinese Communist Party wrote a letter to the central committee of the C.P.S.U. on April 7, 1962.

In that letter, the central committee of the Chinese Communist Party expressed its support for the proposal to convene a meeting of the fraternal parties put forward by the Communist Party of Indonesia, the Workers' Party of Viet Nam, the Communist Party of Sweden, the Communist Party of Great Britain and the Communist Party of New Zealand, and explicitly proposed that a meeting of representatives of the Communist and Workers' Parties of all countries be convened to discuss problems of common concern. We are very glad that in its recent letter the central committee of the C.P.S.U. also favours calling a meeting of representatives of the Communist and Workers' Parties.

In our letter of April 7, 1962, we also pointed out that in order to convene and make a success of a meeting of the fraternal parties, many obstacles would have to be overcome beforehand and much preparatory work would have to be done. At the same time we advanced the following points:

1. The fraternal parties and fraternal countries which have disputes between them should take steps, however small, that

will help to ease relations and restore unity so as to improve the atmosphere and prepare the conditions for the convening and the success of a meeting of the fraternal parties.

2. We support the proposal of the Workers' Party of Viet Nam that public attacks should cease.

3. Where needed, certain fraternal parties should hold bilateral or multilateral talks to exchange opinions.

4. We sincerely hope that the Soviet comrades and the Albanian comrades will both take positive steps to remove their differences and restore normal relations between the two parties and the two countries. In this connection it seems necessary for the Soviet comrades to take the initiative.

5. According to the decision of the meeting of the fraternal parties in 1957, the C.P.S.U. is responsible for convening meetings of representatives of the Communist and Workers' Parties after consultation with fraternal parties.

At present, we still hold that the foregoing points are important for the success of a meeting of the fraternal parties.

We are very glad that in its recent letter the central committee of the C.P.S.U. has also advanced valuable proposals for making the meeting of the fraternal parties successful.

We agree with you that " it is especially important to take immediate concrete practical steps to ensure our unity and to improve the atmosphere in the relations between all fraternal parties ".

In order to create a favourable atmosphere for the convening of the meeting of the fraternal parties, we have decided that, apart from the articles which we have already published as replies, we will from now on temporarily suspend public replies in our newspapers and periodicals to the public attacks which were directed by name against the Chinese Communist Party by comrades of the C.P.S.U. and other fraternal parties.

It goes without saying that, basing ourselves on the principle of equality and reciprocity between fraternal parties, we reserve the right to make public replies to all the statements of fraternal parties which publicly attack the Chinese Communist Party by name. On the suspension of public polemics, it is also

necessary that our two parties and the fraternal parties concerned should have some discussion and reach an agreement that is fair and acceptable to all.

We welcome the proposal in your letter that talks be held between the Chinese and Soviet parties. We hold that such talks constitute a necessary preparatory step for the convening of a meeting of representatives of the Communist and Workers' Parties of all countries. In his conversation with Comrade Chervonenko, Comrade Mao Tse-tung expressed the hope that Comrade Khrushchov, while making his visit to Cambodia, would stop over in Peking for talks between our two parties and an exchange of views. If this is not convenient for you, the central committee of the C.P.S.U. can send to Peking a delegation headed by another responsible comrade or we can send a delegation to Moscow.

We agree with your view that "During the talks it would be possible to take up point by point all the major questions of interest to both parties, especially those relating to the common tasks of our struggle". We hold that the questions that need to be discussed in the talks between the Chinese and Soviet parties are also the questions that need to be discussed at the meeting of representatives of the Communist and Workers' Parties of all countries, and that they are, first of all, the following: the question of the strategy and tactics of revolution in the contemporary world, the question of opposing imperialism and defending world peace, the question of the liberation struggles of the oppressed nations and people, the question of strengthening the power and unity of the socialist camp, the question of strengthening the unity of the international communist movement, and other questions of common interest.

All these questions ought to be discussed in a comradely way, point by point, to the full and in detail, in accordance with the fundamental teachings of Marxism-Leninism and with the revolutionary principles set forth in the Moscow Declaration and Statement and the consultation ought not to be a mere formality but should be conducted on a footing of real equality.

Whatever is agreed upon by both sides can be settled at once and agreement can be concluded. Existing differences

that cannot be settled immediately may be laid aside, pending later settlement. We propose that if we cannot finish our discussions in one session, several should be held, or that our parties should hold further bilateral talks(2).

It is the common desire of the people of China and the Soviet Union, of all the people in the socialist camp, of the communists in all countries and of all the oppressed people the world over to strengthen the unity of the international community movement, to strengthen the unity of the socialist camp, and especially to strengthen the unity between our two parties and countries.

We are conscious of the responsibility that falls on our two parties. We must not disappoint these expectations. Let us unite on the basis of Marxism-Leninism, on the basis of proletarian internationalism and on the basis of the Moscow Declaration and the Moscow Statement.

With communist greetings,

CENTRAL COMMITTEE OF THE COMMUNIST PARTY OF CHINA

(2) Following further exchanges, talks between delegates of the Chinese and Soviet Communist Parties were held in Moscow July 5–20, 1963. The talks ended in deadlock and were adjourned indefinitely.

STATEMENTS by the Chinese and Soviet Governments on the Nuclear Test Ban Treaty.—Peking/Moscow, 31st July–21st August, 1963(1)

(Extracts)

1.—STATEMENT BY THE CHINESE GOVERNMENT, 31ST JULY, 1963

A treaty on the partial halting of nuclear tests was initialed by the representatives of the United States, Britain, and the Soviet Union in Moscow on 25th July. This is a treaty signed by three nuclear powers(2). By this treaty they attempt to consolidate their nuclear monopoly and bind the hands of all the peace-loving countries subjected to the nuclear threat.

(1) American *Foreign Policy: Current Documents*, 1963, pages 986, 989, 1021 and 1026.
(2) Page 178.

This treaty signed in Moscow is a big fraud to fool the people of the world. It runs diametrically counter to the wishes of the peace-loving people of the world. The people of the world demand a genuine peace; this treaty provides them with a fake peace. The people of the world demand general disarmament and a complete ban on nuclear weapons; this treaty completely divorces the cessation of nuclear tests from the total prohibition of nuclear weapons and legalizes the continued manufacture, stockpiling, and use of nuclear weapons by the three nuclear powers, which run counter to disarmament.

The people of the world demand the complete cessation of nuclear tests; this treaty leaves out the prohibition of underground nuclear tests, an omission which is particularly advantageous for the further development of nuclear weapons by U.S. imperialism. The people of the world demand the defence of world peace and the elimination of the threat of nuclear war; this treaty actually strengthens the position of nuclear powers for nuclear blackmail and increases the danger of imperialism launching a nuclear war and a world war. If this big fraud is not exposed, it can do even greater harm. It is unthinkable for the Chinese Government to be a party to this dirty fraud. The Chinese Government regards it as its unshirkable and sacred duty to thoroughly expose this fraud.

The Chinese Government is firmly opposed to this treaty which harms the interests of the people of the whole world and the cause of world peace. Clearly, this treaty has no restraining effect on the U.S. policies of nuclear war preparation and nuclear blackmail. It in no way hinders the United States from proliferating nuclear weapons, expanding nuclear armament, or making nuclear threats. The central purpose of this treaty is, through a partial ban on nuclear tests, to prevent all the threatened peace-loving countries, including China, from increasing their defence capability, so that the United States may be more unbridled in threatening and blackmailing these countries.

U.S. President Kennedy, speaking on 26 July, laid bare the substance of this treaty. Kennedy pointed out that this treaty did not mean an end to the threat of nuclear war, it did not prevent but permitted continued underground nuclear tests,

it would not halt the production of nuclear weapons, it would not reduce nuclear stockpiles, and it would not restrict their use in time of war. He further pointed out that this treaty would not hinder the United States from proliferating nuclear weapons among its allies and countries under its control under the name of "assistance", whereas the United States could use it to prevent non-nuclear, peace-loving countries from testing and manufacturing nuclear weapons. At the same time, Kennedy formally declared that the United States remains ready to withdraw from the treaty and resume all forms of nuclear testing. This fully shows that U.S. imperialism gains everything and loses nothing by this treaty.

The treaty just signed is a reproduction of the draft treaty on a partial nuclear test ban put forward by the United States and Britain at the meeting of the Disarmament Commission in Geneva on 27 August 1962.(3) On 29 August, 1962, the head of the Soviet delegation, Kuznetsov, pointed out that the obvious aim of the United States and Britain in putting forward that draft was to provide the Western powers with one-sided military advantages to the detriment of the interests of the Soviet Union and other socialist countries. He pointed out that the United States had been using underground tests to improve its nuclear weapons for many years already, and that should underground nuclear tests be legalized with a simultaneous prohibition of such tests in the atmosphere, this would mean that the United States could continue improving its nuclear weapons and increase their yield and effectivity.

The head of the Soviet Government, Khrushchev, also pointed out on 9 September, 1961 that "the programme of developing new types of nuclear weapons which has been drawn up in the United States now rests on underground tests," and that "agreement on the cessation of one kind of tests only —in the atmosphere—would be a disservice to the cause of peace. It would mean deceiving the peoples."

But now the Soviet Government has made a 180 degree about-face, discarded the correct stand they once persisted in, and accepted this reproduction of the U.S.-British draft treaty, willingly allowing U.S. imperialism to gain military superiority. Thus the interests of the Soviet people have been sold out,

(3) Vol. 166, page 862, document 9.

the interests of the people of the countries in the socialist camp, including the people of China, have been sold out, and the interests of all the peace-loving people of the world have been sold out.

The indisputable facts prove that the policy pursued by the Soviet Government is one of allying with the forces of war to oppose the forces of peace, allying with imperialism to oppose socialism, allying with the United States to oppose China, and allying with the reactionaries of all countries to oppose the people of the world.

Why should the Soviet leaders so anxiously need such a treaty? Is this a proof of what they call victory for the policy of peaceful co-existence? No! This is by no means a victory for the policy of peaceful co-existence. It is capitulation to U.S. imperialism.

The U.S. imperialists and their partners are with one voice advertising everywhere that signing of a treaty on the partial halting of nuclear tests by them is the first step toward the complete prohibition of nuclear weapons. This is deceitful talk. The United States has already stockpiled large quantities of nuclear weapons which are scattered in various parts of the world and seriously threaten the security of all peoples.

If the United States really will take the first step toward the prohibition of nuclear weapons, why does it not remove its nuclear threat to other countries? Why does it not undertake to refrain from using nuclear weapons against non-nuclear countries and to respect the desire of the people of the world to establish nuclear weapon-free zones? And why does it not undertake in all circumstances to refrain from handing over to its allies nuclear weapons and the data for their manufacture?

On what grounds can the United States and its partners maintain that the United States may use nuclear threat and blackmail against others and pursue policies of aggression and war, while others may not take measures to resist such threat and blackmail and defend their own independence and freedom? To give the aggressors the right to kill while denying the victims of aggression the right to self-defence—is this not like the Chinese saying: "The magistrate may burn down houses but the ordinary people cannot even light their lamps"?

The Chinese Government is firmly opposed to nuclear war and to a world war. It always stands for general disarmament and resolutely stands for the complete prohibition and thorough destruction of nuclear weapons. The Chinese Government and people have never spared their efforts in order to realize this aim step by step. As is known to the whole world, the Chinese Government long ago proposed, and has consistently stood for, the establishment of a zone free from nuclear weapons in the Asian and Pacific region, including the United States.

The Chinese Government holds that the prohibition of nuclear weapons and the prevention of nuclear war are major questions affecting the destiny of the world, which should be discussed and decided on jointly by all the countries of the world, big and small. Manipulation of the destiny of more than 100 non-nuclear countries by a few nuclear powers will not be tolerated.

The Chinese Government holds that on such important issues as the prohibition of nuclear weapons and the prevention of nuclear war, it is impermissible to adopt the method of deluding the people of the world. It should be affirmed unequivocally that nuclear weapons must be completely banned and thoroughly destroyed and that practical and effective measures must be taken so as to realize step by step the complete prohibition and thorough destruction of nuclear weapons, prevent nuclear war and safeguard world peace.

For these reasons, the Government of the People's Republic of China hereby propose the following :

1. All countries in the world, both nuclear and non-nuclear, solemnly declare that they will prohibit and destroy nuclear weapons completely, thoroughly, totally, and resolutely. Concretely speaking, they will not use nuclear weapons, nor export, nor import, nor manufacture, nor test, nor stockpile them ; and they will destroy all the existing nuclear weapons and their means of delivery in the world, and disband all the existing establishments for the research, testing, and manufacture of nuclear weapons in the world.

2. In order to fulfil the above undertakings step by step, the following measures shall be adopted first :

(*a*) Dismantle all military bases, including nuclear bases, on foreign soil, and withdraw from abroad all nuclear weapons and their means of delivery.

(*b*) Establish a nuclear weapon-free zone of the Asian and Pacific region, including the United States, the Soviet Union, China, and Japan; a nuclear weapon-free zone of central Europe; a nuclear weapon-free zone of Africa; and a nuclear weapon-free zone of Latin America. The countries possessing nuclear weapons shall undertake due obligations with regard to each of the nuclear weapon-free zones.

(*c*) Refrain from exporting and importing in any form nuclear weapons and technical data for their manufacture.

(*d*) Cease all nuclear tests, including underground nuclear tests.

3. A conference of heads of government of all the countries of the world shall be convened to discuss the question of the complete prohibition and thorough destruction of nuclear weapons and the question of taking the above-mentioned four measures in order to realize step by step the complete prohibition and thorough destruction of nuclear weapons.

The Chinese Government and people are deeply convinced that nuclear weapons can be prohibited, nuclear war can be prevented, and world peace can be preserved. We call upon the countries in the socialist camp and all the peace-loving countries and people of the world to unite and fight unswervingly to the end for the complete, thorough, total, and resolute prohibition and destruction of nuclear weapons and for the defence of world peace.

2.—STATEMENT BY THE SOVIET GOVERNMENT, 3RD AUGUST, 1693

The treaty to ban nuclear tests(4) has a significance of principle from the viewpoint of continuing the search for ways to settle the outstanding issues that divide the world. The fact that states with different social systems—great powers—the contradictions between which more than once threatened to plunge mankind into the whirlpool of a world war, have been able to find a mutually acceptable solution of an international problem of moment proves the correctness and viability of the policy of peaceful co-existence.

(4) Page 178.

The peoples perceived a real possibility of reducing international tension, the possibility of reining in the arms race, the grave burden of which weighs down on them. The results of the Moscow talks give hope that the unsettled international issues, on which the strengthening of the cause of peace on earth depends, can be settled. It is exactly this that the Soviet Government is working for, having again advanced, during the Moscow three-power talks, a broad action programme aimed at consolidating peace. The programme envisages a number of urgent measures to remove the danger of a thermonuclear conflict, primarily the signing of a non-aggression pact between NATO and Warsaw Pact countries(5). The Soviet Government has once more called for eliminating the remnants of World War II, for signing a German peace treaty, and normalizing the situation in West Berlin on this basis.

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The fraternal Marxist-Leninist parties on all continents have expressed their complete approval of the agreement. They see in it an important result of the consistent implementation of the communist movement's general line of strengthening the forces of peace and progress. All who cherish peace unanimously approve the results of the Moscow talks. In the atmosphere of this unanimous approval, one can count on the fingers of one hand those who venture openly to oppose the treaty on the prohibition of nuclear tests. And there is nothing surprising in this. Those who oppose the prohibition of nuclear tests, whatever verbal contrivances they may resort to, show themselves to be opponents of peaceful coexistence, opponents of the line of relaxing international tension and of undermining the forces of aggression and war.

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When such views are expressed by representatives of the most bellicose circles of imperialism, there is nothing surprising in it. But when the treaty on banning nuclear weapons tests is opposed by communists, and what is more by the communists standing at the head of a socialist country, this cannot but arouse well-justified amazement.

How can the leaders of a socialist country reject out of hand an international agreement which serves to strengthen peace,

(5) *See* page 187.

accords with the wishes of the peoples, and conforms to their vital interests? Only disregard of the vital interests of the peoples, who have long been demanding an end to nuclear testing, could suggest such an interpretation of the aims and meaning of the treaty as the Chinese Government seeks to give in its statement(6).

The Government of the Chinese People's Republic claims in its statement that conclusion of the treaty has for its aim to " consolidate the nuclear monopoly " of the three powers, and that the Soviet Union's participation in such a treaty is " capitulation to American imperialism ".

One cannot imagine a greater absurdity. In pressing for the conclusion of a treaty banning nuclear weapon tests, the Soviet Union, and all peace-loving forces, see in it an important measure protecting mankind against the dangerous consequences of the pollution of the atmosphere, the water, and outer space by radioactive substances. And those who level accusations against the USSR, bracketing the socialist power with capitalist states, seeks to present this as a striving of the Soviet Union for some nuclear monopoly, and even as " capitulation ".

Thus it follows that if nuclear weapons spread throughout the world, if the way were open for the West German revanchists to possess this weapon, if one series of nuclear explosions carried out by scores of states were followed by another one, this would, it appears, meet the interests of peace and would not constitute capitulation to imperialism! No, it is just the other way round. This would mean irresponsible playing with the destiny of millions upon millions of people, and everyone who shows concern for the present and future of his people, for the preservation of peace, not only in oratory but in practical deeds cannot but realise this.

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Furthermore, the statement of the Chinese Government contends that the nuclear weapons test-ban treaty does not solve in its entirety the task of banning all kinds of nuclear weapons, of destroying nuclear stockpiles, or of discontinuing the production thereof. There is no argument but that the treaty does not solve all these questions. It is of course plain to all that

(6) Document 1 above.

the wider the agreement the better. An ideal solution would be to immediately conclude a treaty on general and complete disarmament. We insist on such a treaty now, as we did before. Maybe the Chinese leaders know the secret of how to solve this problem at one fell swoop? As far as we are concerned, we consider it better to do a part than to do nothing when an agreement on such a partial measure is in the interests of peace, in the interests of socialism. If, in present conditions, it is not yet possible to solve the problem at once in its entirety, the only reasonable way out is to solve it step by step. One must be absolutely out of touch with realities to advance the alternative of "all or nothing" with regard to matters involving the destinies of the world and the lives of millions of people.

It is not too difficult to throw right and left the simple and easy formula—all or nothing. In practice such a demand is devoid of any real content. Can such an approach to international affairs be regarded as realistic? It is the duty of communists, above all communists who are leaders of states, to work, even though it be step by step, to relieve the peoples of the danger of nuclear war and annihilation. The Soviet Government is convinced that there is not a single country on earth whose people would give their seal of approval to a policy that dooms human beings to breathe radioactive air or which would approve plans for a limitless nuclear arms race and for giving access to nuclear weapons to the most adventurous circles of the imperialist camp, including the West German revenge seekers. No, there are no such people!

The test-ban treaty can be objected to only by people who stand aside from the struggle of the peoples against nuclear war and who cover up with a flashy phrase about the most radical disarmament measures their lack of readiness or desire to achieve disarmament. Only those people may object who view the struggle for general and complete disarmament as mere bystanders to whom real success in the struggle for peace is of no consequence. To those, on the other hand, who do wage this struggle, every step toward this great goal is important. The Chinese leaders, by the way, had to admit themselves in their statement that the complete prohibition of nuclear weapons should be approached "gradually." But if they recognise the need for this approach—and there is no other in the present conditions—why then, one may ask, is the Soviet Union being

reproached with not being able to secure the solution of the entire problem at one go? Apparently, the Chinese leaders, carried away by the polemic, consider that logic is not obligatory for them in this case.

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The position of the Government of the Chinese People's Republic runs counter to the Leninist policy of peaceful co-existence of states with different social systems. Thereby the Chinese leaders openly place themselves in opposition to the socialist commonwealth, to the whole of the world communist movement, to all peace-loving peoples of Europe, Asia, Africa, and America.

The Chinese Government cannot fail to understand that by embarking on such a road it inflicts direct damage on the unity of the socialist camp and weakens the united front of the struggle against imperialism.

Such actions can only bring joy to the enemies of peace whose cherished aim is to disunite, to alienate the socialist countries, to break the great unity of the peoples of the socialist community, to undermine the world system of socialism from inside.

It is impossible not to see also that the statement of the Chinese Government containing attacks on our country, on the policy of the Soviet Union, is one more evidence that the Chinese leaders transfer ideological differences to interstate relations. It is impossible to explain otherwise the appearance in this document of such impudent allegations as that by concluding the treaty on banning nuclear tests the Soviet Government " betrayed the interests of the Soviet people, betrayed the interests of the peoples in the socialist countries, including China, and betrayed the interests of the peace-loving peoples of the whole world."

It is difficult to say what predominates here—political irresponsibility or irritation of the people whose expectations are dashed to the ground by life itself. Who empowered the C.P.R. Government to speak in the name of the Soviet people and for them? Who asked it to speak for the peoples of the other socialist countries? The authors of the statement must be losing

their nerve if—disregarding the elementary standards of relations between states, let alone standards of relations between fraternal socialist countries—they seek, in their statement, to counterpoise the Soviet people to the Soviet Government. The hopelessness of such attempts has long been realised even by the imperialists who, in the years of the intervention, and then in the years of World War II, broke their teeth on the monolithic unity of the Soviet people with the Soviet Government and the glorious Communist Party. This was a vote by blood and life for Soviet power in our country, for the policy of the Communist Party and our own Soviet Government. And today, by their magnificent labour achievements in building communism, the Soviet people vote for the peaceful policy of their government and express unlimited confidence in and support for the Communist Party of the Soviet Union, its Central Committee.

In whose footsteps do the Chinese leaders intend to follow? In the statement of the C.P.R. Government one cannot discover, even with the help of a microscope, the least trace of respect for the sovereignty of the Soviet state, although communists and the socialist countries not only proclaim, but must consistently uphold, the principles of sovereignty and non-interference in internal affairs in international relations, including relations between socialist countries. What can one oppose in the question of national sovereignty to the imperialist policy of trampling upon the sovereign rights of peoples, if the government of a socialist state flouts the principle of respect for sovereignty and goes so far as to make insulting attacks on fraternal countries, on fraternal peoples?

Only people who have fenced themselves off with a wall of dogmatic notions from what agitates mankind, from the concerns and hopes of the men of labour, can either fail to see or pretend not to see the tremendous changes taking place on our planet and not believe in the reason and will of the peoples who are today capable of preventing a world thermonuclear war.

The C.P.R. Government is trying to find some contradictions in the position of the Soviet Union. But while artificially selecting quotations and juggling with words they forget the simple truth that life does not mark time. Science and technology are developing tempestuously. And what was unacceptable only yesterday might prove useful, even most useful, today.

So it is, precisely, with the prohibition of nuclear weapons tests in the atmosphere, in outer space and under water. There can hardly be any doubts as to who is more competent to be the judge in this—those who possess nuclear weapons and hold their tests, or others who know about them only from literature. There can be no two opinions on this score.

As regards the proposal of the C.P.R. Government for calling an international conference with the participation of the heads of state for discussing relevant problems, including the problem of disarmament, the Soviet Government, of course, cannot object to it since it is its own proposal. This is one of the suggestions repeatedly made by the Soviet Government. In making such a proposal we proceeded from the fact, and we stated so, that no one can assume any commitments for the Chinese People's Republic except its own government, and that consequently the question of China's commitments can be discussed only with the participation of the C.P.R. Government. The Soviet Government continues to firmly adhere to this position.

In this connection the question arises of why the C.P.R. Government found it necessary right now to put forth the proposal for an international conference for dealing with the disarmament question and a number of other international problems and to claim that this is some novelty? Again, it is in order to camouflage refusal to sign the treaty on banning nuclear weapons tests.

In an effort to discredit in the eyes of the peoples the doubtless successes in the struggle for diminishing the war threat, and to vilify the peaceful foreign policy of the Soviet Union, the Chinese leaders have shown to the whole world that their policy leads to an aggravation of international tensions and to the further stepping up of the nuclear arms race, as well as to a still further expansion of its scope and scale.

This position is tantamount to actual connivance with those who advocate world thermonuclear war and who are against the settlement of the disputable international problems at a conference table. There is no doubt that this position cannot but meet, and does meet, with the resolute condemnation of the peoples of the socialist countries, of all peace-loving states, of all those for whom the cause of peace and progress is dear.

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3.—STATEMENT BY THE CHINESE GOVERNMENT, 15TH AUGUST, 1963

. . . The Soviet Government persisted in its stand of rejecting the partial stoppage of nuclear tests. As late as 9 June 1963, it notified the Chinese Government that the Western powers' position on the halting of nuclear tests could not yet serve as a basis for agreement, and that whether negotiations could yield any results depended entirely on the Western powers.

On 15 June 1963, answering questions put by the editors in chief of *Pravda* and *Izvestiya* on the U.S. President's speech of 10 June(7), Soviet leader Khruschev said: "As far as the Soviet Union is concerned, we are ready to sign an agreement on the discontinuance of all nuclear tests today. It is up to the West now. We agreed to a meeting among the representatives of the three powers in Moscow, to try once again to reach an agreement on this question. But the success of this meeting will depend on what the United States and British representatives bring with them to our country."

On 25 July 1963, the Soviet leaders suddenly changed their above stand and accepted the refurbished version of the U.S.-British draft treaty, and signed the treaty on the partial halting of nuclear tests(8).

The Soviet leaders say the situation has changed. When did it change? How did it change? Why is it that what was unacceptable on 15 June became acceptable on 25 July, and very useful into the bargain? What changes took place within those 40 days? Why did you not provide a little explanation? Why did you not give some reasons? If what you said yesterday no longer counts today, will what you say today no longer count tomorrow? You were either insincere then, or you are deliberately deceiving people now. The Soviet leaders' betrayal of the Soviet people, of the countries in the socialist camp and of the people of the whole world can by no means be denied.

2. The circumstances remain unchanged. The policy of U.S. imperialism has not changed. It is the Soviet leaders who have changed. . . .

3. Why did U.S. imperialism want such a treaty?

(7) Published in U.S. Department of State *Bulletin*, 1st July, 1963, page 2.
(8) Page 178.

After dropping the first atom bomb on Hiroshima in August 1945, U.S. imperialism tried to exploit its monopoly of nuclear weapons in order to push its policies of aggression and war, to enslave the people and lord it over the whole world. But the U.S. policy of nuclear blackmail was unable to prevent the peoples of China, Korea, Vietnam, Cuba, and other countries from winning great victories in their revolutionary struggles.

The Soviet possession of nuclear weapons smashed the nuclear monopoly of the United States and placed the U.S. imperialists in the position of courting self-destruction should they try to destroy others. At the same time, all the world's peace-loving countries and people unfolded increasingly powerful struggles against nuclear war and for the banning of nuclear weapons. All this rendered the U.S. imperialist policy of nuclear blackmail less and less effective.

In the face of this unfavourable situation, U.S. imperialism, while maintaining the means of " massive retaliation ", had to adopt and stress the " strategy of flexible response ", which means preparing for both nuclear war and conventional war, and both continuing the development of strategic nuclear weapons as means of nuclear blackmail and threats, and energetically developing tactical nuclear weapons in preparation for launching " limited nuclear wars " when necessary.

It was in pursuit of this counter-revolutionary strategy that the United States needed a treaty on halting nuclear tests which would: divorce the cessation of nuclear tests from the general task of banning nuclear weapons and, by such a cessation, provide a screen for U.S. nuclear war preparations: exclude a prohibition on underground nuclear tests, so that the United States could improve its strategic nuclear weapons and develop tactical nuclear weapons; insure that the United States and its allies will gain nuclear superiority over the Soviet Union and further develop it; and bind all the socialist countries except the Soviet Union and all countries subjected to aggression, without hindering the United States from proliferating its nuclear weapons among its allies and countries under its control.

From beginning to end, the tripartite treaty which has just been concluded satisfies these requirements of the U.S. imperialist global strategy.

4. By completely divorcing the cessation of nuclear tests from the general task of banning nuclear weapons, the tripartite treaty creates an illusion of peace, lulls the vigilance of the people of the world, and provides a screen behind which U.S. imperialism can continue to manufacture, develop, and proliferate nuclear weapons, gain nuclear superiority and prepare for a nuclear war.

The authors of the Soviet Government's statement completely forget what the Soviet leaders more than once pointed out, that is, that a treaty exclusively concerned with the halting of nuclear tests is a deal for deceiving the people. On the contrary, they boast that the tripartite treaty can protect mankind against the dangerous consequences of contamination by radioactive substances. They are cajoling support for the tripartite treaty by exploiting the people's natural desire to avoid contamination by radioactive substances. . . .

U.S. Defence Secretary McNamara said on 13 August that the United States is determined to maintain its nuclear superiority over the Soviet Union. If testing continued indefinitely without limit, the most likely ultimate result would be technical parity between the United States and the USSR. Since the United States has more experience in underground nuclear tests, to ban other forms of nuclear testing while preserving underground tests will retard Soviet progress and enhance the superiority of the United States. An underground nuclear explosion was demonstratively conducted by the United States less than a week after the formal signing of the tripartite treaty.

The United States can continue to improve its strategic nuclear weapons by means of underground tests. These strategic weapons are increasingly becoming a means of political blackmail as they and their means of delivery are being developed more and more and being manufactured and stockpiled in ever greater quantities, and a nuclear stalemate has arisen as a result.

At present, the United States is eagerly seeking to develop tactical nuclear weapons. It intends to use tactical nuclear

weapons in local wars in order to deal with non-nuclear socialist and other peace-loving countries and people, and in particular to deal with the Asian, African, and Latin American countries and people which are subjected to oppression and aggression.

If this U.S. imperialist scheme should be allowed to succeed, and if U.S. imperialism should be permitted to win in one local war after another and so change the international balance of forces, it would in turn definitely increase the danger of a total nuclear war. This situation cannot but arouse the people's serious vigilance.

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Can this treaty prevent U.S. imperialism from proliferating its nuclear weapons, and the technical data for their manufacture, among the West German revanchists and other allies of the United States and countries under its control? No, absolutely not. The U.S. Government has constantly stressed that it cannot, and the Soviet leaders are aware of this, too.

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Who will believe that this paper treaty can possibly prevent the United States from proliferating nuclear weapons and nuclear secrets among its allies and countries under its control, especially West Germany? The Soviet leaders are attempting to justify their act of capitulation by playing on the righteous feelings of the people of Europe against the revival of West German militarism. This attempt has failed in the face of ironclad facts and will go thoroughly bankrupt in the end.

7. The object of U.S. imperialism in advocating the prevention of nuclear proliferation is not at all to manacle itself but to manacle socialist countries other than the Soviet Union. The United States is trying to achieve this object by consolidating the nuclear monopoly position of the United States, Britain, and the Soviet Union. The Soviet leaders are fully supporting this plot and playing an active part in carrying it out.

The statement of the Soviet Government says: "Is it not a fact that what the CPR Government statement terms a nuclear monopoly, that is, the possession by the Soviet Union of these weapons, did play a definite, one might even say the decisive,

role in preventing the socialist countries, including the CPR, from becoming objects of imperialist aggression and in enabling them successfully to build socialism and communism ?"

We cannot agree with this view. In fighting imperialist aggression and defending its security, every socialist country has to rely in the first place on its own defence capability, and then—and only then—on assistance from fraternal countries and the people of the world. For the Soviet statement to describe all socialist countries as depending on the nuclear weapons of the Soviet Union for their survival is to strike an out-and-out great-power chauvinistic note and to fly in the face of the facts.

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10. The conclusion of the tripartite treaty once again shows that the Soviet leaders seek only to preserve themselves and would leave other people to sink or swim. They have repeatedly said that as long as they themselves survive and develop, the people of the world will be saved. The fact is they are selling out the fundamental interests of the people of the world in order to seek their own momentary ease. All countries and peoples subjected to oppression and aggression are now engaged in earth-shaking struggles against imperialism, and old and new colonialism headed by the United States, and for their own independence and freedom.

Yet the Soviet leaders, of one mind with U.S. imperialism, have collaborated with it in a fraud and want the people of the world to believe that the U.S. imperialists are "peace fighters", thus lulling their fighting will and undermining the cause of world peace. But the people of all countries will not likewise regard enemies as friends. Their own bitter experiences will enable them to realise gradually that they can save themselves and insure world peace only by carrying through to the end the struggle against imperialism and old and new colonialism headed by the United States.

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In order to realise the complete prohibition of nuclear weapons step by step it is necessary to carry on an unswerving struggle. As a minimum, it is necessary, in the light of the proposal of the Chinese Government(9), first of all to compel

(9) *See* Document 1 above.

the nuclear powers to undertake not to use, or test, or proliferate nuclear weapons and undertake to respect the nuclear weapon-free zones. Only when these undertakings are secured can we regard the situation as having advanced a step toward peace. . .

11. It is not only at present that the Soviet leaders have begun to collude with U.S. imperialism and attempt to manacle China. As far back as 20 June 1959, when there was not yet the slightest sign of a treaty on stopping nuclear tests, the Soviet Government unilaterally tore up the agreement on new technology for national defence concluded between China and the Soviet Union on 15 October 1957, and refused to provide China with a sample of an atomic bomb and technical data concerning its manufacture. This was done as a presentation gift at the time the Soviet leader went to the United States for talks with Eisenhower in September([10]).

On 25 August 1962, two days before the United States and Britain put forward their draft treaty on the partial halting of nuclear tests([2]), the Soviet Government notified China that U.S. Secretary of State Rusk had proposed an agreement stipulating that, firstly, the nuclear powers should undertake to refrain from transferring nuclear weapons and technical information concerning their manufacture to non-nuclear countries, and that, secondly, the countries not in possession of nuclear weapons should undertake to refrain from manufacturing them, from seeking them from the nuclear powers or from accepting technical information concerning their manufacture. The Soviet Government gave an affirmative reply to this proposal of Rusk's.

The Chinese Government sent three memoranda to the Soviet Government, on 3 September 1962, 20 October 1962, and 6 June 1963, stating that it was a matter for the Soviet Government whether it committed itself to the United States to refrain from transferring nuclear weapons and technical information concerning their manufacture to China ; but the Chinese Government hoped the Soviet Government would not infringe on China's sovereign rights and act for China in assuming an obligation to refrain from manufacturing nuclear weapons.

([10]) *See* Vol. 164, page 301.

We solemnly stated that we would not tolerate the conclusion, in disregard of China's opposition, of any sort of treaty between the Soviet Government and the United States which aimed at depriving the Chinese people of their right to take steps to resist the nuclear threats of U.S. imperialism, and that we would issue statements to make our position known.

We hoped that after such earnest counsel from us, the Soviet leaders would rein in before reaching the precipice and would not render matters irretrievable. Unfortunately, they did not pay the slightest attention to our counsel. They finally concluded the treaty on the partial halting of nuclear tests with the United States and Britain, thereby attempting to bring pressure to bear on China and force it into commitments.

The whole course of events amounts to this: First the Soviet Government tried to subdue China and curry favour with U.S. imperialism by discontinuing assistance to China. Then it put forward all sorts of untenable arguments in an attempt to induce China to abandon its solemn stand. Failing in all this, it has brazenly ganged up with the imperialist bandits in exerting pressure on China. In view of all the above, China has long ceased to place any hope in the Soviet leaders in developing its own nuclear strength to resist the U.S. nuclear threats. . .

By concluding the tripartite treaty the Soviet leaders are trying to show the correctness of the so-called general line of peaceful coexistence which they have been following since the 20th Congress of the Communist Party of the Soviet Union. To glory in one's shame—this can only make people split their sides. What does the conclusion of the tripartite treaty show? It merely shows that the line followed by the Soviet leaders in foreign affairs is one of out-and-out capitulation.

The imperialists are of course willing to coexist with those who surrender to them. However, this is not peaceful coexistence but capitulationist coexistence.

The Soviet leaders have already gone far along the wrong road. We hope they will reconsider their position and return to the road of Marxism-Leninism and proletarian internationalism, to the road of unity with the countries in the socialist camp and the people of the world.

4.—STATEMENT BY THE SOVIET GOVERNMENT, 21ST AUGUST, 1963

The position of the Government of the Chinese People's Republic, set forth in the statement of 15 August,[11] can be understood only in the sense that the Chinese leaders do not care how the nuclear weapons spread among the capitalist countries as long as the CPR leaders get a chance to lay their hands on a nuclear bomb and see what it is like.

It must be admitted that, being at a definite stage of its economic development, possessing a definite economic potential, the CPR is yet unprepared to produce nuclear arms in quantity. Even if the CPR were to produce two or three bombs, this would not solve its problem but would bring about a great exhaustion of the CPR economy. We know from our own experience what it costs for a country, for a people, to produce nuclear arms on a large scale, at a level meeting modern military techniques, modern defence requirements.

But we were compelled to do this in order to stand up against the imperialist camp, which possessed such arms. And the CPR can now rely on the means of defence which have been developed through the efforts of the Soviet people and which reliably serve the purposes of defending the countries of the socialist commonwealth.

This is why the most reasonable policy for the CPR in the present conditions—if, of course, its desires and potential are to be commensurate—would be to devote its efforts to the development of the national economy, science, technology, and agriculture, devoting them to raising the welfare of the Chinese people, to meeting their vital needs. The Chinese people are experiencing many privations, and this is why such a course in the policy of the Chinese leaders would be more beneficial to the Chinese people, would be more appreciated by them and correctly understood throughout the world.

Let us grant that by overstraining its economy the CPR will finally be able to produce a few atomic bombs. But how many such bombs would in this case be aimed by the imperialists at the CPR? Would the Chinese leaders then feel themselves more secure, even though sitting on their own atomic bomb?

(11) Document 3 above.

If the threat of a new war were to grow in the West—and this would inevitably occur in the event of the further spread of nuclear arms among the capitalist states—China would hardly feel itself in greater security than today.

In one's imagination, and only thus, one can put up a wall of any height and any thickness between the events in the West and the developments in the East. In reality there is no such wall. This was true even before World War I, it was confirmed by the experience of both world wars; and today, when distances on the earth are shrinking due to the development of science and technology, this has become even more obvious.

If the leaders of any country, big or small, do not wish to see the international situation as it is but proceed in their policy from the belief that only what takes place in their own house is important and everything that occurs in other areas of the world is unimportant, such a frame of mind smacks of restricted provincialism and scholasticism. Such views are simply dangerous in life due to their adventuristic nature.

The Chinese leaders abuse the Soviet Union in every way because it has nuclear arms while the CPR does not have them.

Can the CPR leaders say openheartedly that without the nuclear might of the USSR, without the might which has served the interests of all the socialist countries all these years, without the policy of peace and of containment of the forces of aggression which the Soviet Union pursued and pursues, China could peacefully engage in its domestic tasks of economic and political development today?

No, the leaders of the CPR would have had to admit that they can afford such a luxury as their statements against the nuclear test-ban treaty([12]) and their rude attacks on the Soviet Union and the CPSU only because the external security of China is guaranteed by the might of the Soviet Union and all the socialist commonwealth.

Indeed, they cannot be unaware of the true value of their claim that "in the struggle against imperialist aggression, in defending its security, every socialist state relies primarily on its own defensive potential and only then on the support and help of the fraternal countries and the peoples of all the world." It

([12]) Documents 1 and 3, above.

is true, of course, that every socialist country makes its contribution to the common cause of insuring the security of the entire socialist commonwealth ; and the fulfilment of the duty by each one of them in this relation deserves every respect.

But the attempt of any socalist state to rely only on its own forces in insuring its defences—forces which, moreover, may not be sufficient in all countries—can prove to be a fatal mistake in the age of nuclear arms. All the socialist countries, including the CPR, no matter how its leaders try to prove the opposite, take into account when organising their defences the nuclear might of the Soviet Union, which contains the aggressive quarters of the Western powers. . . .

The statements of the Chinese leaders reveal a growing tendency to speak on behalf of the peoples of practically all the world, including the Soviet people, the peoples of the other socialist countries, and also the young national states of Asia, Africa, and Latin America. But who gave the Chinese leaders the right, the Soviet people inquire with indignation, to determine for us, for the Soviet Government, for the Communist Party, what conforms and what does not conform to our interests? We have not given you this right, and do not intend to give it to you. Who gave the leaders of the CPR the right to speak on behalf of the peoples of the other socialist countries? Have they asked for the view of the Poles, Germans, Czechoslovaks, Rumanians, Bulgarians, Hungarians, Yugoslavs, and Mongolians in the discontinuance of nuclear weapon tests and are they drawing up their statements on the basis of this view? No. they have not asked for the view of the peoples of these countries.

They simply maintain that they can say anything that comes into their heads—that they can make Peking's voice pass for the voice of Warsaw, Berlin, Ulan Bator, or the capitals of the other socialist countries.

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Although the CCP leaders do not state this openly, the contents of both statements of the CPR Government on the nuclear test-ban treaty imply not an ending, but on the contrary, a continuation of nuclear weapons tests in the atmosphere, and that holding of tests in outer space and under water would be in the interests of people and peace. However, it is permissable to ask where and when did people announce their readiness to

breathe radioactive air and eat radioactive food? We do not know of such statements. We also have no knowledge of the Chinese people saying: Yes, let nuclear weapons tests continue for we are ready for radioactive substances to poison our blood, settle in our bones and bring incurable diseases to us and our children and through heredity to our posterity. We have not heard the Chinese people saying anything of this sort.

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DECLARATION OF CENTRAL AMERICA.—San José, Costa Rica, 19th March, 1963[1]

The Presidents of the Republics of Central America and Panama are determined to improve the well-being of their peoples, and are aware that such a task demands a dynamic economic and social development program based on the carefully planned use of human, natural and financial resources. It also depends on important changes of the economic, social and administrative structure, within the framework of the principles that govern our democratic institutions. They have met with the President of the United States of America in San José, Costa Rica, to review the difficulties which impede the achievement of these objectives as well as the progress thus far made in the Isthmus since the integration programs began and since the Alliance for Progress was jointly established by the Republics of the Hemisphere in August 1961[2].

Following an analysis of the situation, the Presidents of the Republics of Central America, convinced that the best hope for the development of the region is through economic integration, and bearing in mind the extraordinary efforts made toward this end in the last decade and of the importance of accelerating over-all economic growth, pledge to their peoples:

—To accelerate establishment of a customs union to perfect the functioning of the Central American Common Market;

—To formulate and implement national economic and social development plans, coordinating them at the Central American

(1) U.S. Department of State *Bulletin*, 8th April, 1963, pages 515–517. The Declaration has been approved by the Presidents of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Panama and the United States.
(2) Vol. 166, page 410.

level, and progressively to carry out regional planning for the various sectors of the economy ;

—To establish a monetary union and common fiscal, monetary and social policies within the program of economic integration ;

—To cooperate in programs to improve the prices of primary export commodities ;

—To complete as soon as possible the reforms needed to achieve the objectives set forth in the Act of Bogotá(3) and the Charter of Punta del Este(4) especially in the fields of agriculture, taxation, education, public administration, and social welfare ;

—To take the above measures with a view to achieving the creation of a Central American Economic Community which will establish relationships with other nations or regional groups having similar objectives.

The Central American Presidents affirm that the economic integration movement in itself constitutes an effort which is laying the groundwork for regional planning in which sectoral plans of common interest to the Isthmian Republics serve as a point of departure. Their governments have already taken measures to coordinate national plans so that their execution will aid rather than impede the achievement of the objectives of the economic integration program. It is intended that the first global plan for harmonious regional development be presented as soon as possible for evaluation in accordance with the procedures set forth in the Charter of Punta del Este. Meanwhile, the Central American Presidents declare their resolve to proceed immediately with their sectoral plans and with projects of interest to the Isthmus. The President of the United States agrees to consider a long-term loan to enable the appropriate Central American regional organizations, principally the Central American Bank for Economic Integration, to conduct economic feasibility surveys relative to this program of regional development.

The Presidents of Central America reaffirm their hope that the Republic of Panama will participate more closely in the economic integration movement, and the President of Panama declares that his Government fully reaffirms its support of the

(3) Vol. 164, page 637.
(4) Vol. 166, page 414.

program of Central American economic integration. He further declares that his Government is prepared to initiate immediate negotiations with the Governments of the general treaty of economic integration as a whole with a view to concluding a special agreement to facilitate the association of his country with this program.

The President of the United States is impressed by the determination of the Presidents of the Central American Republics to move as rapidly as possible toward the integration of the economies of their countries, and of their intention to formulate a regional economic development plan within which national plans would be coordinated, and he believes that the coordination of their respective monetary, fiscal, economic and social policies is a great step forward in the achievement of this objective as well as toward the achievement of the goals set forth in the Charter of Punta del Este.

The President of the United States is prepared to offer the greatest cooperation in the preparation and implementation of the regional and national development projects of Central America and Panama and declares that his government will intensify its joint efforts with the governments and appropriate regional organizations in order to extend to them increased technical and financial assistance for this purpose within the framework of the broad regional program entitled "Joint Exposition of the Presidents of Central America" and the development plan being prepared by Panama.

To this end he proposes a fund for Central American economic integration, to be made available through the Central American Bank for Economic Integration, to which the United States would make an immediate substantial initial contribution, to assist in carrying out regional development projects in accordance with various sectoral plans now being developed by the regional organizations.

For the longer term, he also declares that as soon as the Central American Republics have formulated an over-all regional development plan, and as soon as this plan has been evaluated favorably in accordance with the procedures established in the Charter of Punta del Este, the United States will enlarge and expand its participation in the fund and will work with the Central American countries in obtaining other Free

World resources so that the agreed plan can be effectively implemented.

The Presidents have discussed the fundamental importance to economic development of a vigorous and freely-competitive private sector, and declare their intention of taking the necessary steps to encourage private investment which is prepared to accept the normal responsibilities compatible with the development of a modern economy. These measures include the establishment of regional trade and promotion offices for the specific purpose of attracting private foreign investment. They also agree that development banks or corporations should be established in each country as soon as possible to provide credit on reasonable terms for the growth of private industry, the President of the United States offering financial assistance to their operation.

Concurrently they agree that economic and social conditions should be created to assure labor of an improved living standard through a better distribution of national income. Furthermore they agree to encourage and support free democratic labor organizations as a means of contributing toward greater worker participation in the common effort on behalf of the general welfare.

The Presidents also agree that opportunities should be given to the people of Central America to build and purchase their homes. There exist in Central America national savings and loan institutions which have been assisted under the Alliance for Progress, and others are about to be created. In order to give further support for these national efforts, the Presidents of Central America suggest that a regional home loan department, which would be a secondary source of home mortgage funds, should be created as a division within the Central American Bank for Economic Integration and the President of the United States agrees to offer technical and financial assistance to it.

The Isthmian Presidents indicate that Central American institutions should be strengthened as much as possible to enable them to play a major role in training the personnel who will be needed to put into effect the plans for integration of the Isthmus. A large part of the responsibility for training will

devolve on the Superior Council of Central American Universities (CSUCA). Recognizing, moreover, that trained manpower at all levels is needed for economic development, they agree to the proposal of the President of the United States to establish a multi-million dollar scholarship fund for vocational training in agriculture and in industry for young people of outstanding ability who can not afford the normal expenses of such training, to which the United States will offer substantial financial assistance.

The Presidents note the primary role of coffee in the economies of Central America and the importance of the International Coffee Agreement for the achievement of stable and remunerative prices.

They reiterate the intention of their governments to fully support the agreement so that it will serve as an effective instrument to improve the earnings of exporting countries from coffee and to promote their economic development.

Other primary commodity problems exist and the Isthmian Presidents will hand to President Kennedy studies on these problems.

President Kennedy agrees he will have them reviewed immediately on his return to Washington.

The Presidents, notwithstanding the fact that present conditions are favorable to undertake a solution of the economic and social problems of the Isthmus through joint action of the countries of the area, believe that all of them are faced with an externally provoked political problem, which by its very nature can imperil the exercise of representative democracy and the normal development of the plans to which their respective governments are engaged to attain as rapidly as possible the highest levels of economic and social justice and to bring to full realization the plans for Central American integration. Consequently, the Presidents declare that in order to carry out their programs for social and economic betterment, it is essential to reinforce the measures to meet subversive aggression originating in the focal points of Communist agitation which Soviet imperialism may maintain in Cuba or in any other place in America.

The Presidents note that the Council of the Organization of American States is actively engaged in maintaining vigilance

over the continued intervention of Sino-Soviet powers in this Hemisphere as requested by the Eighth Meeting of Consultation of Foreign Ministers(5). They express special interest in early completion by the Council of the OAS of the studies on Castro-Communist subversion in the Hemisphere, and particularly in early action by the Council on recommendations to the governments for counteracting those activities in these areas.

The Presidents agree that Ministers of Government of the seven countries should meet as soon as possible to develop and put into immediate effect common measures to restrict the movement of their nationals to and from Cuba, and the flow of material, propaganda and funds from that country.

This meeting will take action, among other things, to secure stricter travel and passport controls, including appropriate limitations in passports and other travel documents on travel to Cuba. Cooperative arrangements among not only the countries meeting here but also among all OAS members will have to be sought to restrict more effectively not only these movements of people for subversive purposes but also to prevent in so far as possible the introduction of money, propaganda, materials, and arms, arrangements for additional sea and air surveillance and interception within territorial waters will be worked out with special cooperation from the United States.

In addition to these measures, a more rapid and complete exchange of intelligence information on the movement of people, propaganda, money and arms between Cuba and our countries is to be developed by the Meeting of Ministers.

The Presidents voice their deep sympathy for the people of Cuba, and reaffirm their conviction that Cuba soon will join the family of free nations. The Presidents recall how, in 1959, the Cuban people were fired with the hope of a purely Cuban revolution that was to bring them freedom and social justice ; honest government and free elections ; fair sharing of goods ; opportunities for all ; more schools and jobs, better health and housing, and constructive land reform not collectivization of the land. In sum, a progressive republic which, in the words of Martí, would be "*con todos y para todos*". The Presidents declare that they have no doubt that the genuine

(5) Vol. 166, page 890.

Cuban revolution will live again, and its betrayers will fall into the shadows of history, and the martyred people of the oppressed isle of the Caribbean will be free from foreign Communist domination, free to choose for themselves the kind of government they wish to have, and free to join their brothers of the Hemisphere in the common undertaking to secure for each individual the liberty, dignity, and well-being which are the objectives of all free societies.

Finally the Presidents solemnly reaffirm their adherence to the principles established by the Treaty of Reciprocal Assistance of Rio de Janeiro([6]), the Charter of the OAS([7]), in the Act of Bogotá([3]) and in the Charter of Punta del Este([4]).

[Note. An Agreement on the Establishment and Operation of the Central American Defence Council was concluded at Guatemala City on 14th December, 1963, and entered into force on 18th May, 1964. (United Nations Treaty Series, Vol. 507, page 154.)]

([6]) Vol. 149, page 102.
([7]) Vol. 152, page 51.
([3]) Vol. 164, page 637.
([4]) Vol. 166, page 414.

JOINT STATEMENT on the talks between the Soviet Prime Minister, Mr. Khrushchev, and the Prime Minister of Cuba, Señor Fidel Castro.—Moscow, 23rd May, 1963([1])

(Extract)

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Views were exchanged in the course of the meetings and talks between Comrades Nikita Khrushchev and Fidel Castro on the further development of co-operation between the Soviet Union and Cuba and the situation in the area of the Caribbean Sea.

The two sides note that the construction of the new Cuba is being carried out in difficult and complex conditions. From the very first days of the existence of the revolutionary Cuban state, the reactionary circles of the United States have done everything to wipe out the gains of the Cuban people and to impose the yoke of imperialist exploitation on it once again.

([1]) *Soviet News* (Washington), 27th May, 1963.

Flagrantly flouting the United Nations Charter and the generally acknowledged standards of international law, the United States is trying to interfere in the domestic affairs of the Cuban Republic, organizing and guiding subversive activities against the new social and state system in Cuba, and sending armed bands of counter-revolutionary riff-raff to the Island of Freedom.

The United States is promoting a policy of economic aggression against Cuba and is exerting unprecedented pressure on its allies in military blocs, and on other countries, to try to make them follow their policy.

The United States of America would like to isolate the Cuban Republic politically, especially from the peoples of the Latin American countries. For this purpose, they are using the Organization of American States, basing themselves there on representatives of dictatorial military régimes.

Freedom-loving Cuba, however, did not flinch either before political blackmail and economic pressure, or before direct armed intervention. In April, 1961, at Playa Giron, the armed forces of the Cuban Republic routed the army of mercenaries which was equipped with American military material and was trained in military camps on the territory of the United States and its henchmen.

Revolutionary Cuba carried the banner of freedom and independence high in the grim days of October, 1962,(2) when having prepared a new armed intervention against the Cuban people, the United States, by its aggressive actions, strained the situation in the area of the Caribbean Sea to the limit, as a result of which an international crisis emerged and the world was placed on the brink of a nuclear-missile world war.

At that tense moment, the leaders of the Revolutionary Government of the Cuban Republic, led by Fidel Castro, and the whole Cuban people displayed unbending determination to uphold the gains of their revolution, and the honour and freedom of Cuba.

True to their heroic traditions, the Cuban people rose to the defence of their country, ready to fight to the last man against the foreign interventionists.

(2) *See* Vol. 166, pages 956, 959. 984, 1035, 1036, 1039 and 1041.

The firm stand of the Soviet Union and the other socialist countries in the cause of defending revolutionary Cuba, the restrained and sober evaluation by the responsible statesmen of the Soviet Union and Cuba of the situation that resulted, and the support for Cuba from all peace-loving states, averted thermo-nuclear war. The immediate danger of an armed attack on Cuba was removed.

Today, revolutionary Cuba is an example of unbending courage and staunchness in the struggle for independence, and for the right to create a new life without exploiters.

The two sides note that, although the immediate danger of military intervention in Cuba has been removed, the tension in the area of the Caribbean Sea still remains.

This situation could be normalized on the basis of the implementation of the five points advanced by the Prime Minister of the Revolutionary Government of Cuba, Fidel Castro, which include the ending of all measures of economic pressure ; the ending of all subversive activities ; the ending of attacks from bases situated in the United States and Puerto Rico ; the ending of all intrusions by military planes and ships of the United States into the air space and territorial waters of Cuba ; and the removal of the United States naval base at Guantánamo from Cuban territory.

The Soviet government emphatically supports these principles, because they are in full accord with the United Nations Charter and reflect the efforts of the Revolutionary Government of Cuba to find a peaceful solution to the outstanding issues that create tension in that part of the world.

The government of the Soviet Union and the government of Cuba proceed from the premise that revolutionary Cuba does not threaten anyone.

The road of development and social change which has been chosen by the Cuban people, is its domestic affair, and no one has the right to interfere in its affairs.

Both governments resolutely state their adherence to the principle of non-interference of states in the internal affairs of other countries, and solemnly confirm that the peace-loving principles of the United Nations, including the principle of

respect for the sovereignty of states, have their full support, because they meet the interests of peace and friendship between nations.

The Cuban side declares that the people of Cuba highly appreciate the moral and political support and help rendered by the Soviet Union. The statement of the U.S.S.R. government and its head, Comrade Nikita Khrushchev, the defence by the Soviet Union of Cuba's interests in the United Nations and in other international forums, the action of mass public organizations in the U.S.S.R. in support of Cuba, and the economic and military aid of the Soviet Union, played a very important role in the struggle of the Cuban people for its freedom and independence against the external threat from imperialism.

The Soviet Union has rendered, and is rendering, effective aid to Cuba in strengthening her defence potential. At the request of the Cuban government the Soviet Union helped Cuba to create a strong army, well trained, and equipped with modern military material, capable of administering a rebuff to any attempts at encroachment on the sovereignty and freedom of the Cuban state.

In the course of the talks between Comrades Nikita Khrushchev and Fidel Castro, it was confirmed by the Soviet side that, if an attack was made on Cuba in violation of the commitments undertaken by the President of the United States not to invade Cuba, the Soviet Union would fulfil its international duty to the fraternal Cuban people, and would render it the necessary aid for the defence of the freedom and independence of the Cuban republic, with all the means at its disposal.

The organizers of aggression should remember that an invasion of Cuba will confront mankind with a devastating nuclear rocket war.

The two sides considered questions connected with the implementation of the Soviet-Cuban agreements on trade and economic, technical, scientific and cultural co-operation, and noted with satisfaction that these agreements are being successfully implemented.

The Soviet Union is constantly increasing the purchase of goods which constitute Cuba's traditional exports, and, together with other socialist countries, is doing everything to satisfy the pressing requirements of Cuba in equipment and raw materials for her industry, and in goods to supply the country's population.

The Soviet Union is also rendering the necessary aid in transporting the goods purchased or sold by Cuba.

The two sides take note with satisfaction of the fact that economic co-operation between the U.S.S.R. and Cuba is acquiring a more and more extensive and all-around nature. The Soviet Union is rendering Cuba technical assistance in conducting geological prospecting, in expanding and reconstructing three re-smelting metallurgical works, in the construction of a big thermal power station, in the development of the nickel and chemical industries and commercial fishing, and the carrying out of priority irrigation and land improvement projects.

The construction of an engineering plant now under way with the help of the Soviet Union is of great importance.

The Soviet Union is rendering help to the Cuban Republic in creating national cadres, by training Cuban citizens in the U.S.S.R., and by setting up training centres in Cuba.

Co-operation between Soviet and Cuban organizations and institutions in the fields of culture, science, education, public health and sports is developing successfully.

Agreement was reached in the course of talks on measures for the further development of economic, trade and scientific and cultural links between the U.S.S.R. and the Cuban Republic.

Guided by the desire to help to consolidate the socialist economy of fraternal Cuba, and taking into consideration that in recent years raw sugar prices in the world market have risen considerably, the Soviet government, on its own initiative, proposed to change the existing agreement, and to increase the price of the Cuban raw sugar to be bought in 1963, so as to bring this price into line with the level of world prices.

The Soviet government proceeded from the fact that the production of sugar is one of the staple branches of Cuba's

economy, and that an increase of sugar prices will play an effective part in consolidating the economic situation in Cuba.

This proposal by the Soviet government was accepted by the Cuban side.

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JOINT DECLARATION of Co-operation between France and the Federal Republic of Germany.—Paris, 22nd January, 1963(1)

Le général de Gaulle, président de la République française, et le Dr. Konrad Adenauer, chancelier de la République fédérale d'Allemagne.

A l'issue de la Conférence qui s'est tenue à Paris les 21 et 22 janvier 1963 et à laquelle ont assisté, du côté français, le Premier Ministre, le ministre des Affaires étrangères, le ministre des Armées et le minstre de l'Education nationale ; du côté allemand, le ministre des Affaires étrangères, le ministre de la Défense et le ministre de la Famille et de la Jeunesse.

Convaincus que la réconciliation du peuple allemand et du peuple français, mettant fin à une rivalité séculaire, constitue un événement historique qui transforme profondément les relations entre les deux peuples.

Conscients de la solidarité qui unit les deux peuples tant du point de vue de leur sécurité que du point de vue de leur développement économique et culturel.

Constatant en particulier que la jeunesse a pris conscience de cette solidarité et se trouve appelée à jouer un rôle determinant dans la consolidation de l'amitié franco-allemande.

Reconnaissant qu'un renforcement de la coopération entre les deux pays constitue une étape indispensable sur la voie de l'Europe unie, qui est le but des deux peuples.

Ont donné leur accord à l'organisation et aux principes de la coopération entre les deux Etats tels qu'ils sont repris dans le traité signé en date de ce jour.

(1) *L'Année Politique*, 1963, page 404.

Fait à Paris, le 22 janvier 1963 en double exemplaire en langue française et en langue allemande.

Le Président de la République Française
C. DE GAULLE

Le Chancelier fédéral de la République fédéral d'Allemagne
ADENAUER

TREATY of Co-operation between France and the Federal Republic of Germany.—Paris, 22nd January, 1963(1)

[Ratifications exchanged at Bonn on 2nd July, 1963.]

A la suite de la déclaration commune du Président de la République française et du Chancelier de la République fédérale d'Allemagne, en date du 22 janvier 1963(2), sur l'organisation et les principes de la coopération entre les deux Etats, les dispositions suivantes ont été agréées:

I.—ORGANISATION

1) Les chefs d'Etat et de gouvernement donneront en tant que de besoin les directives nécessaires et suivront régulièrement la mise en œuvre du programme fixé ci-après. Ils se réuniront à cet effet chaque fois que cela sera nécessaire et, en principe, au moins deux fois par an.

2) Les ministres des Affaires étrangères veilleront à l'exécution du programme dans son ensemble. Ils re réuniront au moins tous les trois mois. Sans préjudice des contacts normalement établis par la voie des ambassades, les hauts fonctionnaires des deux ministères des Affaires étrangères, chargés respectivement des affaires politiques, économiques et culturelles, se rencontreront chaque mois alternativement à Paris et à Bonn pour faire le point des problèmes en cours et préparer la réunion des ministres. D'autre part, les missions diplomatiques et les

(1) *L'Année Politique*, 1963, page 404.
(2) *See* immediately preceding document.

consulats des deux pays, ainsi que leurs représentations permanentes auprès des organisations internationales prendront tous les contacts nécessaires sur les problèmes d'intérêt commun.

3) Des rencontres régulières auront lieu entre autorités responsables des deux pays dans les domaines de la défense, de l'éducation et de la jeunesse. Elles n'affecteront en rien le fonctionnement des organismes déjà existants—commission culturelle franco-allemande, Groupe permanent d'état-major—dont les activités seront au contraire développées. Les ministres des Affaires étrangères seront représentés à ces rencontres pour assurer la coordination d'ensemble de la coopération :

a) Les ministres des Armées ou de la Défense se réuniront au moins une fois tous les trois mois. De même, le ministre français de l'Education nationale rencontrera, suivant le même rythme, la personnalité qui sera désignée du côté allemand pour suivre le programme de coopération sur le plan culturel ;

b) Les chefs d'état-major des deux pays se réuniront au moins une fois tous les deux mois ; en cas d'empêchement, ils seront remplacés par leurs représentants responsables ;

c) Le haut commissaire français à la Jeunesse et aux Sports rencontrera, au moins une fois tous les deux mois, le ministre fédéral de la Famille et de la Jeunesse ou son représentant.

4) Dans chacun des deux pays, une Commission interministérielle sera chargée de suivre les problèmes de la coopération. Elle sera présidée par un haut fonctionnaire des Affaires étrangères et comprendra des représentants de toutes les administrations intéressées. Son rôle sera de coordonner l'action des ministères intéressés et de faire périodiquement rapport à son gouvernement sur l'état de la coopération franco-allemande. Ella aura également pour tâche de présenter toutes suggestions utiles en vue de l'exécution du programme de coopération et de son extension éventuelle à de nouveaux domaines.

II.—PROGRAMME

A. AFFAIRES ETRANGERES

1) Les deux gouvernements se consulteront, avant toute décision, sur toutes les questions importantes de politique étrangère, et en premier lieu sur les questions d'intérêt commun,

en vue de parvenir, autant que possible, à une position analogue. Cette consultation portera entre autres sur les sujets suivants:

—problèmes relatifs aux communautés européennes et à la coopération politique européenne ;

—relations Est-Ouest, à la fois sur le plan politique et sur le plan économique ;

—affaires traitées au sein de l'Organisation du Traité de l'Atlantique-Nord et des diverses organisations internationales auxquelles les deux gouvernements sont intéressés, notamment le Conseil de l'Europe, l'Union de l'Europe occidentale, l'Organisation de Coopération et de Développement économique, les Nations Unies et leurs institutions spécialisées.

2) La collaboration, déjà établie dans le domaine de l'information, sera poursuivie et développée entre les services intéressés à Paris et à Bonn et entre les missions dans les pays tiers.

3) En ce qui concerne l'aide aux pays en voie de développement, les deux gouvernements confronteront systématiquement leurs programmes en vue de maintenir une étroite coordination. Ils étudieront la possibilité d'entreprendre des réalisations en commun. Plusieurs départements ministériels étant compétents pour ces questions, du côté français comme du côté allemand, il appartiendra aux deux ministères des Affaires étrangères de déterminer ensemble les bases pratiques de cette collaboration.

4) Les deux gouvernements étudieront en commun les moyens de renforcer leur coopération dans d'autres secteurs importants de la politique économique, tels que la politique agricole et forestière, la politique énergétique, les problèmes de communications et de transports et le développement industriel, dans le cadre du Marché Commun, ainsi que la politique des crédits à l'exportation.

B. DÉFENSE

I.—Les objectifs poursuivis dans ce domaine seront les suivants:

1) Sur le plan de la stratégie et de la tactique, les autorités compétentes des deux pays s'attacheront à rapprocher leurs doctrines en vue d'aboutir à des conceptions communes. Des instituts franco-allemands de recherche opérationnelle seront créés.

2) Les échanges de personnel entre les armées seront multipliés ; ils concerneront en particulier les professeurs et les élèves des écoles d'état-major ; ils pourront comporter des détachements temporaires d'unités entières. Afin de faciliter ces échanges, un effort sera fait de part et d'autre pour l'enseignement pratique des langues chez les stagiaires.

3) En matière d'armements, les deux gouvernements s'efforceront d'organiser un travail en commun dès le stade de l'élaboration des projets d'armements appropriés et de la préparation des plans de financement.

A cette fin, des Commissions mixtes étudieront les recherches en cours sur ces projets dans les deux pays et procéderont à leur examen comparé. Elles soumettront des propositions aux ministres qui les examineront lors de leurs rencontres trimestrielles et donneront les directives d'application nécessaires.

II.—Les gouvernements mettront à l'étude les conditions dans lesquelles une collaboration franco-allemande pourra être établie dans le domaine de la défense civile.

C. ÉDUCATION ET JEUNESSE

En matière d'éducation et de jeunesse, les propositions contenues dans les memoranda français et allemand des 19 septembre et 8 novembre 1962 seront mises à l'étude, selon les procédures indiquées plus haut.

1. Dans le domaine de l'éducation, l'effort portera principalement sur les points suivants :

a) *Enseignement des langues.*—Les deux gouvernements reconnaissent l'importance essentielle que revêt pour la coopération franco-allemande la connaissance dans chacun des deux pays de la langue de l'autre. Ils s'efforceront, à cette fin, de prendre des mesures concrètes en vue d'accroître le nombre des élèves allemands apprenant la langue française et celui des élèves français apprenant la langue allemande.

Le gouvernement fédéral examinera, avec les gouvernements des Länder, compétents en la matière, comment il est possible d'introduire une réglementation qui permette d'atteindre cet objectif.

Dans tous les établissements d'enseignement supérieur, il conviendra d'organiser un enseignement pratique de la langue française en Allemagne et de la langue allemande en France, qui sera ouvert à tous les étudiants.

b) *Problème des équivalences.*—Les autorités compétentes des deux pays seront invitées à accélérer l'adoption des dispositions concernant l'équivalence des périodes de scolarité, des examens, des titres et diplômes universitaires.

c) *Coopération en matière de recherche scientifique.*—Les organismes de recherches et les instituts scientifiques développeront leurs contacts en commençant par une information réciproque plus poussée ; des programmes de recherches concertées seront établis dans les disciplines où cela se révélera possible.

2. Toutes les possibilités seront offertes aux jeunes des deux pays pour resserrer les liens qui les unissent et pour renforcer leur compréhension mutuelle. Les échanges collectifs seront en particulier multipliés.

Un organisme destiné à développer ces possibilités et à promouvoir les échanges sera créé par les deux pays avec, à sa tête, un conseil d'administration autonome. Cet organisme disposera d'un fonds commun franco-allemand qui servira aux échanges entre les deux pays d'écoliers, d'étudiants, de jeunes artisans et de jeunes travailleurs.

III.—DISPOSITIONS FINALES

1) Les directives nécessaires seront données dans chaque pays pour la mise en œuvre immédiate de ce qui précède. Les ministres des Affaires étrangères feront le point des réalisations acquises à chacune de leurs rencontres.

2) Les deux gouvernements tiendront les gouvernements des autres Etats membres des communautés européenes informés du developpement de la coopération franco-allemande.

3) A l'exception des clauses concernant la défense, le présent traité s'appliquera également au Land de Berlin, sauf déclaration contraire faite par le gouvernement de la République fédérale d'Allemagne au gouvernement de la République française dans les trois mois qui suivront l'entrée en vigueur du présent traité.

4) Les deux gouvernements pourront apporter les aménagements qui se révéleraient désirables pour la mise en application du présent traité.

5) Le présent traité entrera en vigueur[3] dès que chacun des deux gouvernements aura fait savoir à l'autre que, sur le plan interne, les conditions nécessaires à sa mise en œuvre ont été remplies.

Fait à Paris, le 22 janvier 1963, en double exemplaire en langue française et en langue allemande, les deux textes faisant également foi.

Le Président de la République française
C. DE GAULLE

Le Premier Ministre français
POMPIDOU

Le Ministre français
des Affaires étrangères
M. COUVE DE MURVILLE

Le Chancelier fédéral
de la Rèpublique fédérale d'Allemagne
ADENAUER

Le ministre fédéral des Affaires étrangères
de la République fédérale d'Allemagne.
SCHRÖDER

(3) 2nd July, 1963.

JOINT COMMUNIQUE on the talks between President de Gaulle and Chancellor Adenauer.—Bonn, 5th July, 1963[1]

A la suite de l'entrée en vigueur du traité du 22 janvier 1963[2] sur la coopération franco-allemande, le Président de la République française et le Chancelier de la République fédérale ont eu, à Bonn, les 4 et 5 juillet 1963, la première des consultations régulières prévues audit accord. Le général de Gaulle a eu, d'autre part, un entretien, le 5 juillet, avec M. Luebke, président de la République fédérale d'Allemagne.

(1) *L'Année Politique* (Paris), 1963, page 410.
(2) Page 306.

Le Président de la République française était accompagné de M. Pompidou, premier ministre, de M. Couve de Murville, ministre des Affaires étrangères, de M. Messmer, ministre des Armées, de M. Giscard d'Estaing, ministre des Finances, de M. Pisani, ministre de l'Agriculture, de M. Fouchet, ministre de l'Education nationale, et de M. Herzog, secrétaire d'Etat à la Jeunesse et aux Sports.

Du côté allemand, ont pris part aux entretiens, M. Schroeder, ministre fédéral des Affaires étrangères, le Professeur Erhard, vice-chancelier et ministre fédéral de l'Economie, M. Dahlgruen, ministre fédéral des Finances, M. Schwarz, ministre fédéral de l'Alimentation, de l'Agriculture et des Forêts, M. von Hassel, ministre fédéral de la Défense, M. Heck, ministre fédéral de la Famille et de la Jeunesse, et M. Kiesinger, premier ministre de Bade-Wurtemberg, commissaire de la République fédéral pour la coopération culturelle dans le cadre du traité franco-allemand.

Dans une première réunion, le général de Gaulle et le chancelier Adenauer ont procédé à l'examen de la situation politique général. Au cours de trois réunions ultérieures, ils ont examiné, avec la participation de leurs ministres, les diverses questions qui se posent actuellement dans le domaine de la coopération.

Les questions économiques, abordées sous l'angle du Marché Commun, ont donné lieu à des échanges de vues approfondis. Ceux-ci portent avant tout sur l'agriculture et sur la négociation qui doit s'engager dans le cadre de l'accord général sur les tarifs douaniers et le commerce au mois de mai 1964.

Les deux gouvernements ont constaté que les décisions arrêtées le 9 mai dernier à Bruxelles, fixant un programme de travail de la Communauté économique européenne pour les mois à venir, doivent permettre d'accomplir, à brève échéance, des progrès considérables dans les divers domaines d'activités prévus.

Ainsi en ce qui concerne l'élaboration de la politique agricole commune, la mise en vigueur, pendant le premier trimestre 1964, des règlements visant la viande de bœuf, les produits laitiers, et le riz est apparue aux deux gouvernements comme un objectif essentiel.

Quant aux difficiles problèmes soulevés par la définition d'une politique européenne des prix agricoles, et notamment des céréales, leur complexité a conduit les deux gouvernements à s'entendre pour proposer, dans le cadre de la C.E.E., une méthode de travail comportant des recherches et études destinées à isoler les difficultés et à dégager des solutions adéquates.

La négociation commerciale menée dans le cadre de l'accord général sur les tarifs douaniers et le commerce est apparue comme fournissant une occasion propice de libérer davantage les échanges internationaux et de faciliter les rapports entre les groupements économiques régionaux. Aussi les deux gouvernements ont-ils marqué leur intention de continuer à orienter leur action au sein de la C.E.E. en vue d'assurer le succès de la négociation. La participation de tous les gouvernements intéressés, une juste réciprocité des avantages consentis de part et d'autre, la réduction des tarifs en même temps que celle des disparités existantes et le maintien, aux frontières de la C.E.E. d'un tarif commun extérieur abaissé mais cohérent constituent des objectifs communs aux deux gouvernements.

Dans le domaine militaire, les questions stratégiques et d'armement en cours ont été passées en revue et des décisions ont été prises afin de faire progresser un certain nombre de projets. L'échange d'unités entières des forces des deux Etats commencera dans un proche avenir. Le ministre fédéral de la Défense et le ministre des Armées ont signé un accord sur l'étude en commun d'un avion à décollage vertical.

Pour ce qui concerne l'éducation, les recommandations faites récemment à Hambourg par la Commission culturelle mixte franco-allemande ont été examinées par MM. Kiesinger et Fouchet et approuvées ensuite en séance plénière. Ces recommandations ont trait à l'extension de l'enseignement des langues des deux pays dans les établissements secondaires ainsi que dans les universités ou écoles supérieures. Elles portent aussi sur les équivalences de scolarité et de diplômes universitaires ainsi que sur la coopération dans le domaine de la recherche scientifique. Il a été réaffirmé, de part et d'autre, la volonté commune de favoriser le développement de l'enseignement du français en Allemagne et de l'allemand en France, condition nécessaire d'une meilleure connaissance réciproque.

Les ministres des Affaires étrangères des deux pays ont, d'autre part, procédé à la signature d'un accord portant création d'un office franco-allemand de la Jeunesse. Cet accord a pour but d'encourager des échanges entre jeunes Allemands et jeunes Français. A cet effet, l'office prévu sera administré par un conseil mixte franco-allemand. Des crédits importants versés à parts égales par les deux gouvernements en permettront le bon fonctionnement.

Les pourparlers ont fait ressortir la communauté de vues qui existe du côté français comme du côté allemand sur les méthodes à observer pour donner au traité du 22 janvier sa pleine signification. Ils se sont déroulés dans l'esprit prévu dans cet accord en ce qui concerne notamment la recherche de l'unité européenne.

FEDERAL LAW to amend the German Nationality Law of 1913.—Bonn, 23rd December, 1963[1]

The new Federal law has added a second sentence to Section 4, paragraph 1 of the German Nationality Law of 1913[2] as follows :

" The legitimate child of a German woman acquires by birth the nationality of his mother if he would otherwise be stateless."

Article 2 enacts that the legitimate child of a German woman born in the period April 1, 1953, to January 1, 1964, has acquired by birth the nationality of his mother if he otherwise had been stateless, unless he expressly waives German nationality. Such waiver has to be declared within one year after the entry into force of this law.

To procedural questions concerning this waiver, the provisions of Sections 15 and 17-23 of the Federal law to regulate certain nationality questions of February 22, 1955, shall apply *mutatis mutandis.*

(1) Published in the *Gesetzblatt*, No. 68, 31st December, 1963. The Law entered into force on 1st January, 1964, and is applicable also to Berlin.
(2) Vol. 108, page 473.

JOINT COMMUNIQUE on the talks between President Kennedy and Chancellor Adenauer.—Bonn, 24th June, 1963[1]

The President of the United States of America, John F. Kennedy, visited Bonn on June 23 and 24 and held talks with leaders of the Federal Republic of Germany. He had a private visit with Federal President Lübke, and on June 24 met privately with Chancellor Adenauer for detailed discussions on the general international situation. The President and the Chancellor were later joined by Secretary of State Rusk, Vice-Chancellor Erhard and the Federal Minister of Foreign Affairs Schröder, as well as other officials and advisers of the two Governments.

President Kennedy and Chancellor Adenauer discussed European integration, relations between the European Community and other nations of Europe, progress toward the achievement of the Atlantic partnership, and the problems of Berlin and German reunification. In this connection, they had an exchange of views on Western policy toward the Soviet Union and the countries of Eastern Europe.

The President and the Chancellor were in agreement that the two Governments would continue their close collaboration in the task of developing genuine unity among the nations of Europe and fostering an integrated European Community in close partnership with the United States. On questions of economics and trade, both in their multilateral and bilateral aspects, the President and the Chancellor reaffirmed their agreement on basic aims; among these matters they stressed in particular the need for stronger participation in world trade by the developing countries. They agreed that the strength of the Free World rests in common policies and common aims pursued jointly by all the nations dedicated to establishing peace in freedom.

The Federal Government shares the view of the United States and other allied powers that controlled disarmament and agreement on the cessation of atomic weapons tests would constitute an important step toward the avoidance of a dangerous armaments race.

(1) U.S. Department of State *Bulletin*, 22nd July, 1963, page 117.

The exchange of views confirmed full agreement of the principle that the North Atlantic Alliance continues to be a major instrument for the maintenance of freedom, and the President and the Chancellor agreed that every effort will be made to strengthen common defense planning and joint operation of N.A.T.O. defense forces.

The President and the Chancellor discussed the proposed multilateral seaborne M.R.B.M. [medium-range ballistic missile] force. The multilateral organisation is considered a good instrument for serving all members of the Alliance in combining their defense efforts. They reaffirmed their agreement to use their best efforts to bring such a force into being. They also agreed that discussions about the principal questions involved in the establishment of such a force should be pursued with other interested Governments.

They reaffirmed the commitment of their two Governments to the right of self-determination, as embodied in the United Nations Charter, and to the achievement of German reunification in peace and freedom. They agreed that the freedom of Berlin will be preserved by every necessary means, and that the two Governments would seek every opportunity to counter the inhuman effects of the Wall. They also agreed that the two Governments would continue to seek to reduce tension through international understanding.

Peace and freedom are prerequisites for overcoming the obstacles that still prevent the greater part of mankind from enjoying full participation in social and economic development. The President and the Chancellor affirmed that the Governments of the United States and the Federal Republic of Germany are determined to assume their part in these tasks in the context of the free world's strategy of peace.

The discussions took place in a spirit of frankness and cordiality. These meetings have shown full agreement between the two Governments in assessing the international situation, and have once again demonstrated the close and friendly relations which exist between the two countries.

JOINT COMMUNIQUE on the talks between President Johnson and Chancellor Erhard.—Texas, 29th December, 1963(1)

President Johnson and Chancellor Erhard have held a series of frank and far-ranging talks at the President's ranch in Texas in the last two days. A number of their discussions were private ; in other talks they were joined by Secretary Rusk, Foreign Minister Schroeder, and other advisers.

The Chancellor told the President of the deep sorrow and sense of personal loss which the German people have felt over the death of President Kennedy. The President expressed deep appreciation for himself and for the American people for this expression of sympathy. He paid a tribute to the late President [Theodor] Heuss, the distinguished first President of the Federal Republic.

The President and the Chancellor both emphasized the importance which they attach to this opportunity to meet early in their Administrations. Their extensive discussions serve to confirm the close understanding and high measure of agreement between the two governments on major international issues. These conversations have made it emphatically clear that there will be continuity in the policies of the United States and the Federal Republic of Germany as they work toward common objectives.

The President and the Chancellor had an extended discussion of the current state of East-West relations. They were determined that the basic rights and interests of the free nations must be defended, and in particular they agreed that there should be no arrangement that would serve to perpetuate the *status quo* of a divided Germany, one part of which is deprived of elementary rights and liberties. On this basis, the President and the Chancellor agreed that it is highly important to continue to explore all opportunities for the improvement of East-West relations, the easing of tensions, and the enlargement of the prospects of a peace that can be stable because it is just. They continue to hope that this effort of the Western powers will meet a constructive response from the Soviet Union.

(1) U.S. Department of State *Bulletin*, 20 January, 1964, page 74.

The President and the Chancellor agreed that the central requirement in the policy of the West must be to increase the strength and effectiveness of the emerging Atlantic partnership. They reaffirmed their conviction that an increasingly unified Europe is vital to this effort.

The Chancellor stated, and the President agreed, that efforts to achieve such unity must always respect the traditionally open trading relationship Europe has enjoyed with the United States and the rest of the Free World. The President and the Chancellor agreed that the forthcoming trade negotiations should be guided by the double objective of enlarged international trade and increasing economic integration in Europe. They agreed that agricultural as well as industrial products must be included and that the negotiations should proceed without delay.

The President reviewed the measures being taken to stabilize the United States' international payments position, and the Chancellor reaffirmed his cooperative support for this program.

The President and the Chancellor emphasized the importance of extending effective aid to the developing nations. The Chancellor described the progress being made in the work of the German Development Aid Service (German Peace Corps), and the President responded by describing the expansion of the American Peace Corps and the wide public support which it has won. The President and the Chancellor agreed that these two undertakings would gain from close cooperation, and as a part of this process of cooperation, the President has requested Mr. Sargent Shriver to make an early visit to Bonn to take part with German colleagues in discussions of the work of the two programs.

The President and the Chancellor reaffirmed their shared commitment to the peaceful reunification of the German people in freedom, by self-determination. The Chancellor stressed the desire of the Federal Republic to examine all paths that might lead to this goal. The Chancellor also stated that the Federal Republic of Germany would continue its efforts to improve its relations with the nations of Eastern Europe.

The President renewed the commitment of the Government and people of the United States to maintain the present six-division level of combat forces in Germany, as long as they are

needed. The Chancellor welcomed the President's further assurance that the United States would continue to meet its commitments in Berlin. The President expressed appreciation for the cooperative arrangement whereby United States dollar expenditures for American military forces in Germany are offset by German purchases of military equipment in the United States. It was agreed that this arrangement should continue.

The President and the Chancellor agreed on the need for all members of NATO to cooperate closely in strengthening the ability of the Alliance to meet all challenges. In particular, they expressed their conviction that the proposal for a multilateral nuclear force now being discussed by several NATO partners would provide a new means of strengthening Western defense.

The President and the Chancellor agreed that in all these matters there will be great value to both their governments in the maintenance of ever closer and more intimate exchanges of views and of information. Where common interest is so great, both sides can only gain from the closest cooperation and from the prompt and continuous exchange of views by whatever means are most appropriate in each case. In addition, the President and the Chancellor agreed that they themselves would establish and maintain the closest personal communication.

Finally, the President and the Chancellor reaffirmed their commitment not simply to close German-American cooperation, but to the wider interest of both countries in the growing partnership of free nations—of the Atlantic and of the world.

LAW No. 54 amending the Supplementary Law for the Control and Administration of the Assets of Jews deprived of Iraqi Nationality.—Baghdad, 19th June, 1963(1)

(Translation)

In the Name of the People,

The Presidency of the Republic,

In pursuance of the Constitutional Law of the National Council of the Revolutionary Command, on the proposal of the Minister of the Interior, the approval of the Council of Ministers, and confirmation of the National Council of the Revolutionary Command, the following Law is confirmed.

ARTICLE 1

The following paragraph is added to Article 5 of the Law supplemental to the Law for the Control and Administration of the Assets of Jews who have renounced their Iraqi Nationality No. 12 of 1951(2), and is considered as paragraph (*c*) thereof:

(*c*) An Iraqi Jew who left Iraq during the period from the 20th of January, 1960, and up to the end of the 30th of March, 1963, must return to Iraq within a period of 6 months from the date of coming into force of this Law. If he did not return after the termination of this period, the Council of Ministers may, on the proposal of the Minister, decide to deprive him of his nationality and his assets will be disposed of in accordance with Law No. 5 of 1951(3) and the Regulations issued or to be issued thereunder.

ARTICLE 2

The following Article is added to the Law as Article 8 thereof, the serial numbers of articles following it being renumbered accordingly:—

Article 8. (i) Every Iraqi Jew who acquired a foreign nationality from the date of coming into force of Law No. 5 of 1951(4) shall be deprived of his Iraqi nationality with effect

(1) Published in the Iraqi *Official Gazette* No. 821 of 25th June, 1963.
(2) Vol. 159, page 695.
(3) Vol. 159, page 693.
(4) 22 March, 1951.

from the date on which he acquired the foreign nationality, his assets shall be frozen, and the provisions of the Law in question and the Regulations issued or to be issued thereunder shall be applied to him. Previous disposals (sales) effected outside the Tapu Department shall not be considered legal.

(ii) The provisions of paragraph (i) shall apply to an Iraqi Jew who acquires a foreign nationality after the coming into force of this Law.

ARTICLE 3

This Law shall come into force from the date of its publication in the Official Gazette(5).

ARTICLE 4

The Ministers are charged with the execution of this Law.

Done at Baghdad this 26th day of Muharram, 1383, and the 19th day of June, 1963.

ABDUL SALAM MUHAMMAD 'ARIF
Staff Major-General,
President of the Republic

All Ministers

(5) 25 June, 1963.

MANIFESTO on the creation of a new federal United Arab Republic, with Appendices.—Cairo, 17th April, 1963(1)

In the name of the Merciful Compassionate God,

In the name of the Almighty God.

The three delegations representing the United Arab Republic, Syria and Iraq met in Cairo and in response to the will of the Arab people in the three regions and the great Arab fatherland, brotherly talks began between the three delegations on Saturday, April 6, and ended on Wednesday, April 17, 1963.

The delegations in all their discussions were inspired by faith that Arab unity was an inevitable aim deriving its principles from the oneness of language bearing culture and thought,

(1) *Middle East Forum*, June and July, 1963. This official English text appeared in the *Egyptian Gazette* of 17th and 18th April.

common history-making sentiment and conscience, common national struggle deciding and defining destiny, common spiritual values stemming from Divine messages and common social and economic understanding based on liberty and socialism.

The delegations were guided by the will of the masses of the Arab peoples, demanding unity, struggling to attain it and sacrificing in its defence, and realising that the hard core of the union is to be formed by the unification of the parts of the homeland which have acquired their freedom and independence and in which nationalist, progressive governments have emerged with the determination to destroy the alliance of feudalism, capital, reaction and imperialism, and to liberate the working forces of the people in order to join them in alliance and to express their genuine will.

The revolution of July 23 was a historical turning point at which the Arab people in Egypt, discovering their identity and regaining their free will, set out on their quest for freedom, Arabism and union. The revolution of the 14th of Ramadan (February 8) illuminated the true Arab face of Iraq, and the path leading it to the horizons of unity, envisaged by the zealous elements of the July 14 revolution. The revolution of March 8 put Syria back into the line of the union destroyed by the setback of reactionary secession, having destroyed all the obstacles which the reactionaries and imperialism had determinedly put up in the path of union.

The three Revolutions thus met which affirmed again that unity is a revolutionary action deriving its conceptions from the people's faith, its power from their will, and its objectives from their aspirations for freedom and socialism.

Unity is a revolution—a revolution because it is popular, a revolution because it is progressive, and a revolution because it is a powerful tide in the current of civilisation.

Unity is especially a revolution because it is profoundly connected with the Palestine cause and with the national duty to liberate that country. It was the disaster of Palestine that revealed the conspiracy of the reactionary classes and exposed the treacheries of the hired regional parties and their denial of the people's objectives and aspirations. It was the disaster of Palestine that showed the weakness and backwardness of the

economic and social systems that prevailed in the country, released the revolutionary energies of our people and awakened the spirit of revolt against imperialism, injustice, poverty and underdevelopment. It was the disaster of Palestine that clearly indicated the path of salvation, the path of unity, freedom and socialism. This was kept in mind by the delegations during their talks. If unity is a sacred objective, it is also the instrument of the popular struggle and its means to achieve its major objectives of freedom and security in liberating all the parts of the Arab homeland and in establishing a society of sufficiency and justice, a society of socialism, in continuing the revolutionary tide without deviation or relapse and its extension to embrace the greater Arab homeland, and in contributing to the progress of human civilisation and consolidation of world peace.

It was unanimously agreed that unity between the three regions would be based, as required by the Arab people, on the principles of democracy and socialism, would be a real and strong unity which would consider the regional circumstances to consolidate the ties of unity on a basis of practical understanding, not ignore the reasons for partitioning and separation, and make the power of each region a power for the Federal State of the Arab Nation, and make the Federal State a power for each of its regions as well as for the whole Arab Nation.

In the name of the Arab people in Egypt, Syria and Iraq, the three delegations announce the will of this people to establish a federal unity on the following bases:

Coordination

1.—*In the field of national action*

A Charter has been drawn up for political action. It was agreed on by all the popular progressive and pro-union powers. This Charter which defines the principles, the goals and the social philosophy will be the basis of cooperation and unity between the three regions with a view to forming people's formations in the member regions so that the popular will comes into fulfilment through free and organised expression. All this will take place within the framework of a political front which will combine all such formations.

Unifying political leadership on the federal level so as to guarantee the coordination of the activities of people's formations and their unification, since the unity of political action

and people's struggle safeguards the production of unity, its consolidation and its growth.

2.—*Building the State*

Consolidating federal agencies guarantees their ability to plan, coordinate and execute and their effectiveness which is an expression of the seriousness of unity.

This may be realised through:

—Unifying the international identity and the foreign policy of the Federal State so that it may become one entity.

—Standing up to imperialism inside and outside the Arab Nation, supporting the people's freedom, and consolidating world peace, through the realisation of military unity capable of liberating the Arab Nation from the danger of Zionism and imperialism, realising its objective in security and stability and finding a nucleus for establishing justice, right and peace.

—Unifying the planning agencies to direct the potentialities of the Federal State to economic and social development, the best use of all potentialities and resources, for building a society of justice and sufficiency, that is to say, a socialist society.

This may be realised by stressing the importance of education, scientific research, culture and information to promote revolutionary awareness, and by using science for the service of society, introducing progressive conceptions and new values, and their extension to all of the Arab Nation.

The Federal State binds itself by basic principles showing it the path of evolution and development, defining a revolutionary progressive programme in the political, social and economic spheres and expressing the reality of the historic phase through which the Federal State is passing.

Thereupon, the delegations announce their full agreement that the Federal State, with its political, social and economic principles, its Constitution and its constitutional organisations, shall be in the following general picture showing the broad lines of the National Charter of Action and the Constitution of the Federal State.

The unity of aim and the unity of values and principles demand from all the unionist, socialist and democratic forces in each region of the Federal State the formation of a political front connected with a charter of democratic, socialist and

unionist action aiming at the unification of political action in the region and developing the revolutionary incentives in a bid to ensure a better life and raise the standard of its aspirations. These forces shall try to unify their efforts in one political organisation connected with the National Charter of Action and bound by the decisions taken by this front by a majority of votes to incarnate on this standard their unity of purpose and to be able to shoulder their responsibilities and carry out their obligations.

There will also be formed, on the Federal State level, one political leadership which will lead and unify the political action of the State within the framework of this Charter, provided that the various political fronts existing in the unified regions, or formations, would be bound by the decisions taken by the federal leadership through majority of votes.

This leadership will gradually plan a unified political formation which would lead the national political action in and outside the Federal State, and, meanwhile, work towards mobilising the powers of the masses so that they would impose their will in life and place their leadership in new spheres. This, however, does not mean dissolving the existing pro-union parties.

The political action does not mean leading the masses alone, but it also shall serve to reinforce the pillars of our society on the bases of democracy and socialism that stemmed from our actual life and became an expression of our future.

Democracy is a reaffirmation of the sovereignty of the people. It also means placing all the authority in the hands of the people with a view to realising the people's goals.

Socialism, on the other hand, is the truthful translation of the fact that unity is a progressive action aimed at the establishment of a society where sufficiency and justice, equal opportunities, and production prevail. Democracy means a political and socialist freedom which cannot be separated. Liberty cannot tackle tomorrow's problems without political and social freedom.

Political democracy cannot be achieved within the framework of reaction nor can it be attained within the framework of dictatorship of one class.

Therefore, the alliance of feudalism and capitalism must fall and be replaced by the democratic alliance between the active people's forces comprising farmers, workers, intellectuals,

soldiers and national capitalism, in view of the fact that this alliance is the legitimate alternative to the reactionary alliance and capable of putting sound democracy in the place of reactionary democracy.

Sovereignty in the UAR is for the people, and freedom, all freedom, for the people and no freedom for the enemies of the people.

The enemies of the people comprise the following elements:

(*a*) The politically isolated people in accordance with the laws to this effect.

(*b*) Everyone tried by the Revolution and convicted of being a secessionist, a conspirator or an exploiter.

(*c*) Everyone who has dealt or will deal in future with foreign political organisations thus becoming an agent of foreign powers.

(*d*) Everyone who has worked or works to impose the domination of the exploiting classes on society.

The popular and political formations set up by direct free elections must, genuinely and fairly, represent the forces making up the majority. Hence, we must guarantee for the workers and farmers at least half the seats in these formations, at all levels including the National Assembly. Not only are the truth and justice of this a representation of the majority, but this is a sure guarantee for the strength of the revolutionary drive. In this way the authority of the elected people's councils will be asserted over the authority of the executive and administrative machinery of the State, and the people will always be leaders of national action. Furthermore, local administration must always and continually transfer, gradually and whenever possible, the authority of the state to the hands of the people's formations which are more capable of sensing the problems of the people and of solving them.

The collectivity of leadership at all levels of political and popular action must always be maintained as a safeguard against deviation of the individual, as an assertion of the highest level of democracy and a guarantee of its continuity and rejuvenation.

The people's formations, especially cooperatives, labour unions, youth and feminist organisations, can play an effective part in the establishment of a sound democracy. Such

organisations should become progressive powers in the field of democratic action. The cooperative and syndicate movement is an unlimited source of alert leadership which has its finger on the pulse of the masses. The oppression which used to suffocate the liberty of such organisations should be removed.

Public liberties are safeguarded within the limits of laws. The United Arab Republic guarantees to all citizens, on an equal footing and without discrimination, freedom of opinion and expression, freedom to criticise and self-criticism freedom, freedom to meet and form societies, freedom to form cooperatives, syndicates or organisations, freedom of education, creed, religion, and other public freedoms.

Citizens are equal before the law. They are equal in so far as duties and rights are concerned, regardless of origin, language, religion or creed. Woman, meanwhile, should be equal to man in so far as public rights are concerned. The remnants of the shackles delaying woman's free movement should be removed so that she can share in making life deep and positive.

Citizens have the right to vote and elect according to the law. Citizens' participation in public life is a national duty. All individuals have the right to elect and become candidates.

The Economic and Social Constituents

Socialism is the way to social freedom. This cannot be realised except through providing equal opportunities for each citizen to get a fair share of the national wealth. The base of national wealth must be wide enough to satisfy the legal demands of the masses of the people.

The path of the revolution and that of socialism are identical. Both paths represent an inevitable necessity asserted by the historic present, the unlimited hopes of the masses to put an end to economic and social backwardness in the Arab Nation; and also asserted by international circumstances.

The capitalist achievements in progress went side by side with imperialism; the capitalist States have reached economic prominence through their exploitation of the resources of colonised peoples. The age of imperialistic piracy has come to an end.

Other experiences in progress have realised their goals only at the expense of millions of toiling people for the benefit of capital, or under the pressure of certain ideological applications which went as far as full sacrifice of full generations for the sake of other generations not yet born.

Advancement through plunder or through *corvée* is no longer tolerable under the new human values. These defeat imperialism and *corvée*. Not content with bringing an end to imperialism and *corvée* human values have opened new ways for action for progress.

Capital in countries which were compelled to be backward can no longer dominate the economic upsurge at a time when large monopolies in advanced countries have grown at the expense of exploiting the peoples' sources of revenue. Nor can local capitalism compete except behind the barriers of high customs protection at the expense of the masses, or binding itself to the movement of world monopolies and dragging their countries into a serious abyss.

Action to increase the basis of the national wealth cannot be left to the whims of exploiting private capital and its wild impulses, motivated solely by the selfish pursuit of profit. It was, therefore, necessary that the economic upsurge of the Arab homeland be governed by the following three conditions:

1.—Accumulation of national savings.

2.—Placing all experience in modern science at the service of the investment of these savings.

3.—Drawing up an overall plan for production.

The aims of planning in the socialist society are:

1.—Achievement of balanced development of the economy in all the different sectors.

2.—Supplying the public and private needs of the society and the individual.

3.—Equitable distribution of national wealth.

4.—That workers be ensured a positive participation in management together with a real share in the profits of production; and, at the same time, the setting of a minimum level for wages ensuring a decent life for the working man.

Therefore, it is necessary to have the people control all means of production and guide their surplus according to

a definite plan, which is at the same time the path of democracy in all its political and social forms. This does not necessarily entail the nationalisation of all the means of production nor the abolition of private ownership or the right to legal inheritance arising from it. This can be attained by two methods: firstly, by the creation of a public sector capable of guiding progress in all fields and of bearing the principal responsibility in the development plan; and secondly, by the presence of a private sector participating in the development within the framework of the total plan without exploitation. The people should supervise and control both sectors.

Efficient socialist planning is the only path that guarantees the employment of all the national material and human resources in a practical, scientific and humanitarian way so that good can be achieved for all the people and a life of comfort provided for them.

This planning is a guarantee of the good exploitation of resources, present, inherent and possible. This planning is at the same time a guarantee for distributing the basic services continually and raising their standards and extending these services to the areas which were devoured by neglect and helplessness as a result of long deprivation which was imposed by the selfishness of the despotic classes which looked down upon the struggling people.

In the organisation of production it must be borne in mind that the purpose of production is the widening of the scope of services, and that services, in turn, provide driving power for the wheels of production: the organisation must also be based on centralised planning and decentralised execution in order to ensure that programmes of the plan are placed in the hands of all individuals of the people.

Private ownership and private capital must be positioned in such a way as to prohibit the emergence of feudalism, monopoly or exploitation. Private capital must also be subordinate to the direction of the people's authority in line with the public sector.

The authority of the people directs private capital in accordance with the needs of the people, and puts an end to its activities if it tries to exploit or deviate from its role.

The Arab application of socialism in the field of agriculture aims basically at emancipating the farmers from exploitation and domination by the following means:

1.—Setting a maximum limit to agricultural ownership putting an end to feudalism, the exploitation of the farmers and its recurrence.

2.—Increasing the productivity of the land by adopting scientific and technological methods and means.

3.—Organising individual and collective investment in a manner ensuring justice in the distribution of the fruits of the land.

Finally the Arab people who live in this area which has received the heavenly revelations have faith in the mission of religion, and draw on the spiritual strength of religions to gain drive for their struggle to assert their entity and attain their goals.

It must be firmly established in our minds that religion is one of the basic constituents on which Arab society builds its life and future, next to all other material constituents which religion upholds and does not contradict; and that by their faith in God and confidence in themselves, these peoples hold the means of imposing their will on life to mould it anew in accordance with their principles and aspirations.

With God's help agreement has been reached on the following basic principles:

1. To build up a Federal State under the name of the 'United Arab Republic' on the basis of free unity between Egypt, Syria and Iraq. The names of the members of the Federal State shall be 'the Egyptian Region', 'the Syrian Region' and 'the Iraqi Region'.

2. Every independent Arab State having faith in the principles of liberty, socialism and unity has the right to join this State by free people's will. This joining shall take place after the approval of the constitutional authority in the Federal State.

3. The Federal State shall have full international sovereignty.

4. The nationals of the Federal State shall have one nationality, namely, Arab nationality. It will be enjoyed by

everyone enjoying the nationality of the three member-States on the proclamation of the Federal State. This nationality shall be governed by a federal law.

5. The people in the Federal State shall enjoy sovereignty in accordance with the Constitution.

6. Islam shall be the official religion of the State and Arabic shall be its official language.

7. The Federal State's flag shall be that of the present United Arab Republic with three stars instead of two. A new star is to be added when a state joins the Federal State.

8. Cairo shall be the capital of the State.

9. The authority of the Federal State includes the following:

(*a*) All aspects of foreign policy including foreign representation, and agreements and treaties concluded with other countries and international organisations;

(*b*) National defence and security taking into consideration the fact that the Federal Armed Forces constitute part of the people. They are loyal to the people from whom they receive their orders through the constitutional authorities concerned with the national federal limits. War, peace, the preparation of land, naval and air forces, their armament training and use, as well as the Defence Council, the General Headquarters of the Armed Forces and the military headquarters in the regions will be among other subjects included in national defence and security. These affairs, however, will be entrusted to each region during transitional periods to be agreed on. The same thing will be applied to subjects relating to military industries, national security organisations, martial laws in emergencies and particular cases when the local authorities of the regions are given the right to use the Armed Forces by permission from the Federal authorities.

Finance and the Treasury

This deals with the taxes of the Federal State and its budget treasury bills, and the Federal State bonds to finance the projects of the Federal State; it also deals with foreign and domestic loans. It also deals with laws, the tariff policy which aims at establishing a tariff unity, a common Arab market to be developed into a united common Arab Market.

Economy, economic planning and development

This covers economic planning in industry, agriculture, trade and communications, coordinating the economic plans of the regions, and drawing up economic policy, trade exchange policy and banking policy, also organising relations with international economic organisations, exchange matters, and organisation of the exploitation of sources of natural wealth.

Information, Culture and Education

This comprises the establishment of a central Federal agency which plans information affairs in the regions of the Federation. Execution of information policy will be either Federal or regional. It also includes Supreme Councils charged with the planning and drawing up of the general policy of education, scientific research, culture and arts, within the framework of the Federation, implying unity of thought and unionist Arab national tendencies, with particular stress on spiritual, scientific and moral preparation of the rising generation.

Justice and coordination of laws

This includes drawing up principles of justice in the regions of the Federal State, and the coordination of laws prevailing in these regions in order to unify them in stages in addition to organising the federal judicial system.

Federal Communication

This includes organising communications, such as land, air, radio, telephone communications and observatories, on a federal level.

Other affairs

This includes projects to be implemented jointly by the regions and the exceptional authorities during war or emergency ; the formation of joint councils entrusted with various responsibilities within the framework of the federal legislations. The regions will be entrusted with the execution of federal laws and decisions in so far as these affairs are concerned.

10. The regions will be entrusted with all the authorities not included in the jurisdiction of the Federal State. Through a federal law, the regions can be authorised to exercise some

of the jurisdiction of the federal authorities for a particular period of time. In such a case, the federal authorities have the right to supervise work of the regional authorities.

The Constitutional Organisations of the Federal State

It has been agreed that the federal state organisations and the relations between them should be in accordance with what follows and in accordance with what is expressed in the appendix attached to this declaration:

First: *The national assembly*

1. is the highest organisation of the authority of the state in the United Arab Republic;

2. is the organisation which exercises the legislative authority;

3. consists of two houses:

(*a*) The Chamber of Deputies consists of a number of members in proportion to the population in each region. It is elected by direct free election and by general secret ballot. The membership term is four years;

(*b*) the Federal Council consists of equal numbers of members from each region and elected by the method determined by the Federal Constitution and the term of membership is four years. The number of its members is one-quarter of the number of the members of the Chamber of Deputies at least and one-third at most.

4. The National Assembly elects the President of the Republic and his Vice-Presidents in the way determined by the Constitution.

5. The two Houses discuss the principal affairs concerning the State's internal and foreign policy, and the development plans and adopt resolutions concerning them.

6. The President and each of the members of the two Houses have the right to propose laws and the Constitution determines the procedures and the proportions concerning this.

7. No law can be issued unless it is approved by the two Houses (Councils). Should the two Houses differ in opinion

in respect of any law, such law shall be submitted to a conciliation committee comprising an equal number of members of the two Houses.

8. The President of the Republic shall issue laws after their approval by the two Houses. He shall have the right to return any law within a period to be specified in the Constitution. If such law is approved by the two Houses by a majority of three-quarters of their members it will be promulgated.

9. Every member of the two Houses has the right to table questions or interpellations to the Prime Minister and the Ministers. The Constitution and the federal law shall regulate the manner in which such questions and interpellations may be tabled.

10. The Council of Ministers shall be responsible to the National Assembly. A vote of confidence or non-confidence may be passed by an absolute majority.

11. The dissolution of any or both Houses shall be by a decision to be taken by the President of the Republic.

12. The National Assembly shall have the right to consider applications submitted to join the Federal State.

13. The Federal Constitution may be amended by a majority of three quarters of votes of each House.

14. The Constitutions of the regions must not be incompatible with the Federal Constitution.

The President

1. The Head of State is the President of the Republic to be elected by the National Assembly to represent the State's authority.

2. Every national in the State fulfilling the conditions for election as member of the National Assembly may be elected President of the Republic. The election of the candidate shall be announced if he obtains two-thirds of the votes of all members of the National Assembly. If he does not obtain this proportion of votes election will be held again. The election of the candidate shall be announced if he obtains an absolute majority of votes of the members of the National Assembly. The Constitution shall regulate the remaining provisions concerning election.

3. The term of presidency shall be four years. If the term expires during the interval of the renewal of the National Assembly the President shall continue to exercise his prerogatives until such time as the renewal of the National Assembly is made and the new President is elected.

4. The President shall be the Supreme Commander of the Armed Forces and shall preside over the National Defence Council.

5. The Constitution shall define the prerogatives of the President of the Republic. In particular, the President of the Republic shall:

(*a*) represent the State ;

(*b*) issue the laws ;

(*c*) propose laws ;

(*d*) object to laws ;

(*e*) appoint the Prime Minister, and Ministers who must enjoy the confidence of the National Assembly, and accept their resignation ;

(*f*) appoint officers and dismiss them and promote commanders of the Armed Forces ;

(*g*) appoint judges of the Federal Supreme Court ;

(*h*) appoint top officials of the Federal State in the case defined by law.

1. Three Vice-Presidents shall be appointed, one for each region, in the same manner and at the same time as the President is elected.

2. The Vice-Presidents shall assist the President in his functions. The President shall have the right to delegate the Vice-Presidents, invest them with some of his functions and seek their advice on matters entrusted to him.

3. The Constitution shall regulate the remaining provisions concerning the Vice-Presidents.

The Cabinet

1. The Council of Ministers shall be formed of the Prime Minister and Ministers.

2. The Council of Ministers and the Ministers shall be responsible for their actions to the National Assembly.

3. The Prime Minister and the Ministers shall continue to occupy their posts as long as they enjoy the confidence of the President.

4. The Federal Council of Ministers shall undertake the organisation and execution of the Federal State's duties and take the necessary decisions for this purpose (according to the Constitution and the federal laws).

5. The cabinet after its appointment presents its programme to the National Assembly for approval.

6. The Constitution and the federal laws organise the rules of the Council of Ministers and the Ministries and the various other Government organisations.

7. The Constitution and the federal laws organise the rules for ministers.

Thirdly: *The Judiciary*

1. The union has a supreme court called the Supreme Federal Court, to be established under the provisions of the Constitution by federal law.

2. The National Assembly chooses the members of the Supreme Federal Court in accordance with nomination by the President of the Republic from among the judiciary and jurists.

3. The Constitution and the federal laws organise the jurisdiction of the Supreme Federal Court, provide immunity for the members of the court, decide their term of office and when they should be relieved of their duties.

Agreement has been made on the organisations in the regions:

First: *President of the region*

1. Is elected by the Legislative Council of the region for a term of four years and agreed upon by the President of the republic.

2. Assumes the jurisdiction determined by the Federal Constitution and the Constitutions of the regions.

3. Appoints the Cabinet of the region and accepts its resignation.

Second: *The Regional Legislative Council*

1. Each region shall have a Legislative Council, elected by free direct ballot.

2. The Constitution shall specify the functions of the Legislative Council.

3. The Legislative Council shall promulgate legislation applying to its respective region.

4. The regional Constitution shall be amended in the way set by the Constitution. These amendments shall not be operative except after ratification by the respective majority in each of the Chamber of Deputies and Federation Council.

5. Questioning of the Cabinet and Ministers and of the Regional Ministers and withdrawal of confidence from the Cabinet, shall be effected in the manner set out in the Constitution.

Third: *The Regional Cabinet*

1. Each region shall have a cabinet comprising a Prime Minister and Ministers.

2. The regional Cabinet shall be responsible to the respective regional Legislative Council whose confidence it must hold.

3. The Constitution shall regulate cases of withdrawing confidence from the Ministry.

4. The Constitution and legislation shall specify the jurisdiction of the Ministries, procedure of their operation and provisions relative to the Ministers.

Fourth: *Courts of Law in the Region*

The Constitution and legislation of the region shall regulate courts of law in the region and guarantee their independence and immunity.

The following provisions were agreed to be adopted during the transitional period:

Firstly: In the Federal State:

1. The Federation's Constitution and President shall be subject to a referendum within a maximum period of five months (from the announcement of this communiqué).

2. The constitutional birth of the Federal State (the UAR) dates from the announcement of the results of the referendum.

3. The federal constitutional organisations should complete all their constituent parts as stipulated by the constitution within 20 months from the announcement of the referendum. Thus the transitional period will end.

4. Each region has the right to choose its own constitutional organisations as a preliminary step to the full establishment of the federal organisations, during the transitional period. Federal legislation organises the constitutional validity of the regions' organisations which may be established within this period.

5. Agreement among the member states should be reached for a programme to complete the unification of federal, military, foreign, legislative, economic and cultural organisations etc., thus facilitating a transitional provision in the Constitution stipulating such a programme.

6. All legislative and executive powers in the Federal State during the transitional period are assumed by a Presidential Council, presides over by the President; Vice-Presidents act as members of this Council.

7. The formation of the Presidential Council:

The Presidential Council will be formed of an equal number of members from each region.

8. The members of the Presidential Council will be selected by the quarters which have legislative authority in the member states at the time of the proclamation of the Federal State.

9. The President of the Republic will have the right to appoint and dismiss Ministers.

10. The decisions of the Presidential Council will be taken by the majority of votes.

11. The President of the Republic has the right to oppose any decision or law reviewed by the Presidential Council.

12. The Presidential Council will be responsible for the following:

(*a*) appointing the Vice-Presidents (a Vice-President for each region) through an agreement with the legislative quarters concerned in the region during the transitional period.

(*b*) Appointing a President of each region, with the agreement of the legislative quarters in the region during the transitional period.

(*c*) Appointing members of the National Defence Council and following up the progress of its work.

(*d*) Planning the State's general policy and entrusting the Ministers with executing it.

(*e*) Co-ordinating public interests between the regions.

(*f*) Appointing members of the higher councils referred to in the part dealing with general principles.

13. The Federal Cabinet consists of:

(*a*) The Prime Minister ;

(*b*) The Ministry of Foreign Affairs ;

(*c*) The Ministry of Defence ;

(*d*) The Ministry of Information, National Guidance and Culture ;

(*e*) The Ministry of Education, Higher Education and Scientific Research ;

(*f*) The Ministry of Treasury and Finance ;

(*g*) The Ministry of Economy and Economic Planning (communications affairs to be added to its functions) ;

(*h*) The Ministry of Justice ;

(*i*) The Ministry of State.

14. Further ministries can be established in accordance with a federal law.

15. Joint meetings of the Federal Cabinet and the Presidential Council can be held.

It was also agreed to follow the following general rules:

1. All legislation in force in any region will continue to be in force until it is amended or abolished by the competent constitutional authority.

2. The agreements and treaties, which have been previously concluded by the government of any region, will continue to be implemented within the region which has concluded them.

3. All the present government organisations and departments will continue to perform their duties in accordance with various laws and regulations prevailing now until new rules and regulations are drawn up or until the old laws are amended.

4. Until a plebiscite has been held on the Federal Constitution, the member states will form the following committees for authorities the formation of which will pave the way for the federal establishments and organisations:

(*a*) A Unified Military Command.

(*b*) A Foreign Affairs Committee.

(*c*) A committee for economic co-ordination and an Arab Common Market.

(*d*) Any other committees.

APPENDIX I

STATE CONSTITUTION AND CONSTITUTIONAL ORGANISATIONS

STATE CONSTRUCTION

First: *General Principles*

1. A Federal State called the United Arab Republic shall be established on the basis of free unity between Egypt, Iraq and Syria. The names of the members of the Federal State shall be the "Egyptian Region", the "Iraqi Region" and the "Syrian Region".

2. Every independent Arab Republic which believes in the principles of freedom, socialism and unity may join this State by the free will of its people. Joining shall take place after the approval of the constitutional authority concerned in the Federal State.

3. The Federal State alone shall have full international authority.

4. The nationality of the Federal State shall be enjoyed by anyone who enjoys the nationality of any of the member states on the proclamation of the Federal State or the nationality of any State on its joining the federation. The rules concerning the acquirement of the nationality of the Federal State or its loss or anything that is concerned with it, shall be governed by a federal law.

5. The people shall enjoy sovereignty in accordance with the constitution.

6. Islam shall be the official religion of the state and Arabic shall be its official language.

7. The Federal State's flag shall be that of the present United Arab Republic with three stars instead of two. A new star is to be added when a new State joins the federation.

8. A federal law shall fix the emblem.

9. A federal law shall fix the national anthem.

10. There shall be one nationality: "Arab", which shall be governed by a federal law.

11. Cairo shall be the capital of the Federal State.

Second: *The Authority of the State*

The authority of the Federal State shall include:—

(1) Foreign policy.

(2) Defence.

(3) National security.

(4) Finance and treasury (budget, customs, etc.).

(5) Economy, economic planning and development.

(6) Information and national guidance (on federal level).

(7) Cultural planning.

(8) Co-ordination of general education, higher education and scientific research.

(9) Justice and co-ordination of laws.

(10) Federal communications.

(11) Other Federal State prerogatives may be added by the method stipulated in the Constitution.

(1) *Foreign Policy:*

(*a*) All aspects of foreign representation (taking into consideration the regional factor in certain aspects such as commerce and culture which shall be transformed gradually from regional to federal by a federal law).

(*b*) The affairs of the United Nations and other world organisations.

(*c*) Treaties with foreign countries (the regions may conclude some trade agreements with the approval of the Federal State).

(*d*) Extradition of criminals and political asylum.

(*e*) Issuance of Arab passports and visas.

(*f*) Entrance of aliens into territory of the Federal State, their residence and deportation according to federal laws.

(*g*) Questions pertaining to nationality and all other foreign questions.

(2) *Defence :*

It is an established principle that the Armed Forces are part of the people and owe allegiance only to the people and take orders only from the people through the constitutional authority concerned within the federal national limits.

(*a*) War and peace matters.

(*b*) The preparation of land, sea and air forces, their armament, training and use.

(*c*) The military command: A unified military command with local decentralisation of the prerogatives of local commands directly attached to the General Command (the affairs of the local commands shall be run by the authorities of the regions during the transition period deemed suitable for each region).

(*d*) The Defence Council and the General Command of the Armed Forces as well as the Regional Military Commands.

(*e*) General mobilisation.

(*f*) War industries.

(3) *National Security :*

(*a*) National security establishments agreed upon in the Constitution or by federal laws.

(*b*) Proclamation of martial law when the Federal State or any of the Regions is exposed to danger.

(*c*) States of emergency specified by federal law which would give the regional authorities the right to use the armed forces till the state of emergency ends.

(4) *Finance and Treasury :*

(*a*) Federal Taxes.

(*b*) Federal budget (from federal taxes or contributions from the regions in the way and for the aims agreed upon, or from loans or from other sources).

(*c*) The issuance of treasury bills and Federal State bonds to finance federal projects.

(*d*) Borrowing from outside or internally (and it is forbidden for regions to contract foreign loans except with the approval of the Federal State).

(*e*) Custom laws and policy (which will gradually become a tariff unity and an Arab Common Market).

(5) *Economy, Economic Planning and Development:*

(*a*) A higher council for planning.

(*b*) Economic planning in industry, agriculture, trade and communications, as well as co-ordinating the economic plans of the regions.

(*c*) A Higher Economic Council to examine joint economic questions and co-ordinate between them and study these questions in relation to other countries.

(*d*) Economic policy.

(*e*) Trade representation abroad (its organisation and trade treaties and pacts).

(*f*) Organising trade between the regions of the Federal State.

(*g*) Organising payment among the regions of the federation and with foreign countries.

(*h*) Currency.

(*i*) Federal banking affairs.

(*j*) Relations with international economic establishments.

(*k*) Federal industries.

(*l*) Joint projects.

(*m*) Nuclear energy and the natural resources needed for its production.

(6) *Information and National Guidance on the Federation level:*

(*a*) Establishment of a central federal agency for federal planning of information.

(*b*) Execution of the information policy shall be in part regional and in part federal.

(7) *Cultural Planning :*

(*a*) A Higher Council for Arts and Literature.

(*b*) Arab culture and its relation to other cultures.

(8) *Planning of Education, Higher Education and Scientific Research :*

(*a*) Higher council or councils for education and research.

(*b*) General policy for education and research.

(*c*) Curricula.

(*d*) Guarantees for unity of thought and unionist Arab national tendencies, and spiritual scientific and moral preparation of rising generations which will build complete unity and establish a free socialist Arab society.

(*e*) The running of federal establishments concerned with educational and scientific affairs.

(9) *Justice and Co-ordination of Laws :*

(*a*) Unified principles for justice (drawing up of the basic principles for laws such as the penal code, the civil law, the commercial law, the law of procedure, the labour law, the social insurance law, etc.).

(*b*) Co-ordination of laws with a view to unifying them in stages.

(c) Federal judiciary.

(10) *Federal Communications :*

This includes all means of land, sea and air transport and federal communications such as railways, steamships, aircraft, post, telegraph, telephone, wireless and meteorology on the federal level.

(11) *Any fresh matters in accordance with the way specified in the Federal Constitution :*

(*a*) All affairs and projects which jointly concern the three regions.

(*b*) Exceptional authority during war or emergencies in the regions (in accordance with a federal law).

(*c*) Making it incumbent on the regions to execute the federal laws and decrees and respect any particular obligation, and giving instructions to the regions to execute any decision taken by a federal authority.

(*d*) Arbitration among regions whenever differences arise.

(*e*) Joint councils for various services in accordance with federal legislation.

(*f*) The Federal State has the right to grant complete amnesty to crimes according to a federal law.

(*g*) Special pardon is a prerogative of the President.

Third: *Authorities of the Regions*

1. The regions will be entrusted with all the authorities not included in the jurisdiction of the federal state.

2. Through a federal law, the regions can be authorised to exercise some of the jurisdiction of the federal authorities for a particular period of time. In such a case, the federal authorities have the right to supervise the regional authorities.

3. It is possible to entrust to the regional authorities the implementation of some federal laws.

APPENDIX II

THE CONSTITIONAL ORGANISATIONS OF THE FEDERAL STATE AND THE RELATIONS BETWEEN THEM

The National Assembly

1. Is the highest organisation of the authority of the State in the United Arab Republic ;

2. Is the organisation which exercises the legislative authority ;

3. Consists of two houses:

(*a*) *The Chamber of Deputies :* consists of a number of members in proportion to the population in each region. It is elected by direct free election and by general secret ballot. The term of membership is four years.

(*b*) *The Federal Council:* consists of an equal number of members from each region elected by direct free election and by general secret ballot. The term of membership is four years. The number of its members is one-quarter of the number of its members of the Chamber of Deputies minimum and one-third maximum.

4. Membership of the Councils, cases of vacant seats and internal regulations of these councils are laid down in the Federal Constitution and in the federal laws.

5. Joint membership in the Chamber of Deputies, the Federal Council and the Regional Legislative Councils at the same time is not allowed.

6. Members of Councils are not to be questioned for their opinions and views which they advance in the exercise of their parliamentary duties. The Constitution provides for the immunities of members of the councils.

7. The meeting of the Federal Councils takes place in the capital of the Federal State. The place of meeting may be fixed in any other region by a federal law. The councils may also be convened, in case of emergency, in any other region by virtue of a Federal decree. Meetings of the Councils held in other than the legal locality will not be valid and the decisions taken by them are null and void.

8. The sessions of the Houses are laid down by the constitution and are summoned by the President of the Republic, otherwise they convene on the day fixed according to the Constitution.

9. Any House may hold extraordinary sessions upon the request of the President of the Republic or a quarter of the number of members. The President of the Republic shall be informed of this extraordinary session.

10. The National Assembly convenes in the cases laid down by the Constitution.

11. The two Houses discuss the basic affairs pertaining to the State's internal and foreign policy, and the development plans and adopt resolutions concerning them.

12. The President and each of the members of the two Houses have the right to propose laws and the Constitution determines the procedures and the proportions concerning this.

13. No law can be issued unless it is approved by the two Houses. Should the two Houses differ in opinion in respect of any law, such a law shall be submitted to a conciliation committee comprising an equal number of the two Houses, on condition that the chosen number from the Chamber of Deputies should have the same proportional formation as the Council. Should the Committee reach an opinion opposing the law (or the law after being amended), it should be referred to the two Houses. If the Committee does not reach an opinion or if any of the two Houses does not agree, the law is postponed to the next session (or to a next meeting).

14. The President of the Republic shall issue laws after the approval of the two Houses. He shall have the right to return any law within a period to be specified in the Constitution. If such a law is approved by the two Houses by a three-quarters majority of their members, it will be promulgated.

15. No House is to take any decision unless the majority of its members is present ; in the cases which do not require a special majority, the resolutions are issued according to the absolute majority of the present members.

16. Every member of the two Houses has the right to table questions or interpellations to the Prime Minister and the Ministers. The Constitution and the Federal Law shall regulate the manner in which such questions and interpellations may be tabled.

17. The Council of Ministers shall be responsible before the National Assembly. A vote of confidence or no-confidence may be passed by an absolute majority.

18. The Constitution and the Federal Laws regulate the joint exercise of membership of the two Houses and public office.

19. The dissolution of any or both Houses shall be by a decision of the President of the Republic.

20. The President of the Republic has the right of speech in the National Assembly or in the Chamber of Deputies or in the Federal Council, upon his request. He also has the right to convey to them any messages or reports.

21. The Prime Minister and the Ministers have the right of speech in any House and participation in the discussions (the Constitution regulates the procedures).

22. Membership in the Cabinet is allowed in any of the Houses at the same time.

23. The National Assembly elects the President of the Republic and the Vice-Presidents (in the manner defined by the Constitution).

24. The National Assembly shall have the right to accept a new member to the Federal State by a majority of three-quarters of the votes of each House.

25. The Federal Constitution may be amended by a majority of three-quarters of the votes of each House.

26. The Constitutions of the regions must be compatible with the Federal Constitution. They should be agreed upon before the Federal Constitution is made subject to a plebiscite.

27. The regional Constitution may be amended by the Legislative Council in the manner to be specified by the Constitution. These amendments are not considered effective unless they are approved by the Federal Councils by a majority of three-quarters of the members of each council.

28. The two Houses shall approve the treaties in the manner to be specified by the Constitution and the law.

29. The National Assembly has the right to declare wars (according to the Constitution).

30. The Constitution regulates cases in which the President of the Republic is accused of high treason or disloyalty according to a proposal submitted by a certain proportion of the members of the National Assembly.

31. The Constitution and the federal laws regulate the trial of the Ministers.

32. In the period of recess of the Legislative Councils a presidential council for the National Assembly elected from among its members (in the manner specified by the Constitution) shall issue laws provided that they are approved by the two Houses upon their convening.

THE PRESIDENT OF THE REPUBLIC

1. The Head of the State is the President of the Republic elected by the National Assembly to assume the authority of the State.

2. Every citizen of the State eligible as member of the National Assembly may be elected President of the Republic. The election of the candidate will be proclaimed if he obtains two-thirds of the votes of all the members of the Assembly. If this majority is not obtained, the election shall be repeated, and, in this case, if the candidate obtains an absolute majority of the votes of all the members of the Assembly, his election will be proclaimed. The Constitution regulates all other election laws.

3. The term of presidency is four years: in case this term expires during the recess of the re-election of the Assembly, the President shall remain in the exercise of his functions until the election of the Assembly is completed and a new President is elected.

4. The President is the Supreme Commander of the Armed Forces and presides over the National Defence Council.

5. The attributes of the President of the Republic are defined by the Constitution ; however, he is competent to deal with the following:

(*a*) To represent the State in foreign relations, to detach and to approve the detachment of diplomatic representatives and to ratify international treaties.

(*b*) To receive and approve the credentials of diplomatic representatives.

(*c*) To convene and dismiss the sessions of the meeting of the Chamber of Deputies, and the Federal Council.

(*d*) To appoint the Prime Minister and Ministers enjoying the confidence of the National Assembly.

(*e*) To accept the resignation of the Prime Minister and Ministers from their functions.

(*f*) To promulgate laws ratified by the two councils.

(*g*) To propose the laws.

(*h*) To contest the laws.

(*i*) To make declarations and transmit messages and reports to the National Assembly.

(*j*) To appoint officers and relieve them of their duties, and promote the Generals of the Armed Forces (in conformity with the Constitution and federal laws).

(*k*) To attend and preside over meetings of the Cabinet, to ask for reports from it and from the individual members of the Cabinet and to discuss matters with the Cabinet and its members.

(*l*) To proclaim a state of emergency (in conformity with the Constitution).

(*m*) To declare war (in conformity with the Constitution).

(*n*) To appoint the senior officials of the Federal State in cases specified by law.

(*o*) To lay down, in conjunction with the Cabinet, the general policy of federal affairs.

(*p*) To appoint the judges of the Supreme Federal Court (in conformity with the Constitution and the federal laws).

(*q*) To grant amnesty.

6. The President of the Republic shall not occupy any post in the Government of any region or be a member in any Legislative Council.

7. The cases of vacancy of the post of President of the Republic are regulated by the Constitution.

Vice-Presidents

1. Three vice-presidents are appointed (one for each region) by the same procedure for and simultaneously with the election of the President of the Republic.

2. The Vice-Presidents shall assist the President in the exercise of his functions, and he may delegate them in his place, confer on them some of his prerogatives, and consult them in the matters entrusted to him.

3. The Constitution regulates all the other matters relating to the Vice-Presidents.

The Council of Ministers

1. The Council of Ministers is constituted of the Prime Ministers and the Ministers. Deputy Prime Ministers and Deputy Ministers may also be appointed.

2. The Council of Ministers and the Ministers are answerable for their duties before the National Assembly.

3. The Prime Minister and the Ministers shall occupy their posts as long as they enjoy the confidence of the President.

4. The Federal Council of Ministers is concerned with the organisation and implementation of the affairs of the Federal State, and issues decisions to this purpose (in conformity with the Constitution and the federal laws).

5. The Cabinet shall submit, after its formation, its programme to the National Assembly for approval.

6. The Constitution and the federal laws lay down the provisions relating to the Council of Ministers, the Ministers, and the various other governmental organisations.

7. The Constitution and the federal laws lay down the provisions relating to the Ministers.

THE JUDICIARY AUTHORITY

1. A Supreme Court of the federation is created with the title of ' The Supreme Federal Court ', and is to be constituted in conformity with the provisions of the Constitution and in the virtue of a federal law.

2. The Federal State may create other Federal Courts, to be constituted by federal laws.

3. The competence of the Supreme Federal Court is laid down by the Constitution and the federal laws.

4. The members of the Supreme Federal Court shall be selected by the National Assembly on the proposal of the President of the Republic and shall be chosen from amongst members of the Judiciary and or law-men, (in conformity with the Constitution and the federal laws).

5. The Constitution and the federal laws provide the immunities for the members of the Court, and determine the terms of their appointment, and the cases for relieving them of their functions.

Regional Authorities

I. *The Regional President*

1. The Regional President shall be elected by the Legislative Council of the Region, for a term of four years; the election shall be approved by the President of the Republic. (The procedure for candidature and election are laid down by the Constitution.)

2. The regional President exercises the attributes specified by the federal and the regional Constitutions.

3. The regional President appoints the cabinet of the region and accepts its resignation.

II. *The Legislative Council*

1. Each region shall have a Legislative Council, freely and directly elected by secret ballot.

2. The Constitution shall define the Legislative Council's competences.

3. A region's Legislative Council shall issue the rules and laws relating to that region.

4. A region's constitution shall be amended in the manner defined by the Constitution. Such amendments shall not come into force except after approval by a three-quarter majority of the Chamber of Deputies and the Federal Council.

5. The Legislative Council shall discuss matters with the region's Cabinet and Ministers, shall ask and question the Ministers and shall withdraw confidence from the Government in the manner defined by the Constitution.

6. A region's Legislative Council shall be dissolved as follows:

(*a*) In accordance with a decision issued by the region's President.

(*b*) By a decision issued by the President of the Republic, in accordance with a decision taken by the Federal Council by a two-thirds majority.

III. *A Region's Cabinet*

1. Each region shall have a Cabinet formed of a Prime Minister and Ministers.

2. A region's Cabinet shall be responsible to the region's Legislative Council and must have its confidence.

3. Cases of withdrawal of confidence from the Cabinet shall be regulated by the Constitution.

4. The Constitution and the Laws shall define the Ministers' competences, the manner of their application and the rules and regulations relating to the Ministers.

IV. *A Region's Judiciary*

A region's Constitution and its laws shall regulate the region's Judiciary and safeguard its immunity and independence.

TRANSITION LAWS

The Federal State

1. A plebiscite on the Federal Constitution and the President of the Republic shall be held within a period not exceeding five months after the publication of this announcement.

2. The Federal State (the United Arab Republic) shall be considered constitutionally standing on the announcement of the plebiscite's results.

3. Federal constitutional organisations shall have completed all their elements indicated in the Constitution within a period of twenty months at the utmost, after the publication of the plebiscite's results. The transition period will thus have ended.

4. Each region shall establish before this date the constitutional organisations it needs, in preparation for the complete establishment of all the federal organisations during the transitional period. Federal legislation shall regulate the constitutionality of regional organisations established during this period.

5. Legislative and executive authority in the Federal State shall be exercised during the transition period by a Presidential Council headed by the President of the Republic. The Vice-Presidents of the Republic shall be members.

6. The Presidential Council shall be formed of an equal number of members from each of the regions.

7. Presidential Council members shall be chosen by the Legislative Authorities in Member States since the establishment of the Federation.

8. The President of the Republic shall appoint the Prime Minister and Ministers, and shall relieve them of their functions.

9. The Council's decisions shall be by the majority of its members.

10. The President of the Republic has the right to object to any decision taken or law issued by the Presidential Council.

11. The Presidential Council undertakes the following:

(*a*) Appointment of Vice-Presidents of the Republic (a Vice-President from each region), in agreement with those in possession of the legislative authority in the region during the transition period.

(*b*) Appointment of a President for each region, in agreement with those in possession of legislative authority in the region during the transition period.

(*c*) Appointment of a National Defence Council and the following up of its actions.

(*d*) Laying down and planning the State's general policy and entrusting the cabinet with the execution.

(*e*) Co-ordinating public services between the regions.

(*f*) Appointment of the Higher Councils mentioned in the general principles.

12. The Federal Cabinet:

(*a*) The Prime Minister ;

(*b*) Foreign Affairs ;

(*c*) Defence ;

(*d*) Information, National Guidance and Culture ;

(*e*) Education, Higher Education and Scientific Research ;

(*f*) The Treasury and Finance ;

(*g*) Economy and Economic planning, plus communications ;

(*h*) Justice ;

(*i*) State Ministers.

13. Other Ministries may be established by the promulgation of a Federal Law.

14. Joint meetings may be held of the Federal Cabinet and the Presidential Council.

GENERAL RULES

1. All laws and regulations followed in any region shall continue to be in force in that region until its amendment or complete abrogation by the constitutional authority concerned.

2. Agreements and treaties already concluded by the Government of any region shall remain in force within the scope of that region.

3. All present organisations and government departments shall continue their work, in accordance with the existing laws and regulations until these have been amended or replaced by new laws and regulations.

4. Member States shall agree on a programme to complete the unification of federal military or foreign or legislative or economic or cultural organisations or others, so that reference to such a programme would be made in one of the Constitution's transitional articles.

5. Until the plebiscite on the Federal Constitution is completed, member States shall undertake the formation of the following committees and organisations, so that their formation and their starting would pave the way for the real establishment of federal organisation when unity is ensured:

(*a*) A Unified Military Command ;

(*b*) A Foreign Affairs Committee ;

(*c*) An Economic Co-ordination and Common Arab Market Committee.

(*d*) Any other Committee or Committees.

GAMAL ABDEL NASSER
President of the United Arab Republic

LOUAY ATTASSI
President of the Syrian National Revolutionary Command

HASSAN AL-BAKR
Prime Minister of Iraq

SPEECH by the Soviet Prime Minister, Mr. Khrushchev, on East-West Relations and the question of Germany.—East Berlin, 2nd July, 1963(1)

(Extracts).

In the West much is being said and written about the so-called *Wirtschaftswunder* in Western Germany. One must give their due to the work and ability of the people of Western Germany. They have indeed devoted great energy to the rehabilitation and advancement of their economy.

In the conditions of capitalism, however, the wealth which is created by the workers and peasants is appropriated by a mere handful of monopolisits. Western Germany cannot avoid the contradictions which are inherent in capitalism . . .

It should also be borne in mind that Western Germany had a ready-made raw material base, metallurgy and heavy industry, which before the war constituted the foundation for the economy of the whole of Germany. That is how this temporary advance was born—an advance which western propaganda eagerly tried to palm off as being almost a refutation of the theories of Marx.

The working people of Eastern Germany had to begin the restoration of their economy in more difficult conditions than in Western Germany. New sources of raw materials and other materials had to be found ; the iron and steel base and many other branches of industry had virtually to be built up anew, and hundreds and thousands of destroyed enterprises had to be rebuilt.

All this was a task of tremendous complexity and difficulty. And in spite of all this, the German Democratic Republic is today one of the most powerful industrial states in Europe and the whole world—as regards the volume of industrial output it is among the top ten most highly-developed countries from the industrial point of view.

Any objective person will say that if there is to be talk of an economic miracle, then it has happened precisely here, in the German Democratic Republic. It has become possible

(1) Published in *Soviet News*, 3rd July, 1963. Mr. Khrushchev was addressing a rally in East Berlin.

only because the people have taken power into their hands and become the masters of their destiny. This miracle has become possible because there exists the powerful socialist community with which your country is linked by the firm ties of fraternal co-operation . . .

You know what a feat of labour the Soviet people and the peoples of the other socialist countries have accomplished. All the "miracles" of the capitalist world fade in face of this exploit.

We are firmly convinced that in the future, too, the economic development of the German Democratic Republic will advance, at a still more rapid pace. There are all the necessary conditions and possibilities for this. You have, in the main, overcome the great disproportions in the economy caused by the partition of the country and the breaking up of the neutral economic structure and contacts.

Your Republic is now systematically being supplied with the principal raw materials and other materials on the basis of co-operation with the Soviet Union and other socialist countries. Now you have good cadres of economic leaders who have already acquired great experience in organising production and have learned to administer the economy in a socialist way . . .

As a result of the successful development of the socialist countries, opportunities have now emerged for a more profound co-ordination of our economic plans. And that is why the dislocated economic relations between the German Democratic Republic and Western Germany will not only be fully compensated for now by co-operation with the socialist countries, but the economy of the German Democratic Republic will receive inexhaustible reserves and potentialities—both raw material and industrial reserves and potentialities—for new and remarkable successes. The development of economic co-operation between the socialist countries is a powerful factor speeding up our common advance.

All this enables us to believe that the time is not distant when the German Democratic Republic will begin to surpass Western Germany in all the main economic indices. Indeed, I repeat, and this is not a slip of the tongue, the German Democratic Republic will indeed outdistance Western Germany, and this period has already begun. This will be an

outstanding contribution by the working people of the German Democratic Republic to the struggle of the socialist community for victory over the capitalist world in economic competition. We have warned, and we continue to warn our opponents: No matter how hard you try, you will lag behind the socialist countries! . . .

The Soviet Union, the German Democratic Republic, and all the socialist countries are vitally interested in the complete elimination of tensions, in the establishment of stable good-neighbourly relations among all European countries. We want all the nations in Europe, and also throughout the world, to be able to look calmly into the future and to devote themselves to peaceful labour.

We uphold the policy of peaceful co-existence between states with different social systems, both on a global scale and as applicable to various regions of the world. One cannot speak of the establishment of lasting peace throughout the world, if hotbeds of tension are constantly maintained in various parts of it. This refers to all regions of the world, including such an important region as Europe . . .

Eighteen years have gone by since the end of the war. The wounds inflicted by the war will continue to make themselves felt for many years. Now, however, they have already healed to some extent; the pain inflicted on people by the war has been somewhat blunted. The Soviet and German peoples, the peoples of the whole of Europe and of the entire world, must do everything necessary for the final healing of these wounds and the removal of the pain for all time . . .

The Soviet Union maintains fraternal relations with the German Democratic Republic; it maintains diplomatic relations with the Federal Republic of Germany. Our country, true to its policy of peace, is interested in the relations between the Soviet Union and Western Germany developing along the road of trust and co-operation. I believe that the German people, too, are profoundly interested in stable and friendly relations with our country, with all the socialist countries.

If we look at the not so distant past we can see an example of precisely such a development of relations between the Soviet Union and Germany. There was a time after the First World War when German statesmen mustered the strength and

courage to acknowledge that friendly relations between Germany and the Soviet Union would benefit both countries, both peoples. They were able to overcome the obstacles of the Versailles Peace Treaty, and good relations were established between our countries. That was a wise act of statesmanship.

What harm did this do to Germany, to her economy? None whatsoever. On the contrary, German industry began to receive orders from the Soviet Union, and this made it possible to restore and develop Germany's economy. The establishment of mutually-beneficial economic contacts with the Soviet Union enabled Germany to make fuller use of the capacities of her economy and to give jobs to German workers.

These economic relations also benefited the Soviet Union . . .

In western countries they are still continuing the outcry over the so-called Berlin Wall. But what the West calls a "wall" is the lawful frontier of the German Democratic Republic. It enables the working people of the German Democratic Republic to curb the provocative activities against their country and other socialist states. And this means that the so-called Berlin Wall is helping the cause of normalising relations between states, is helping the cause of peace.

It is high time, at long last, to take a sober look at things. It is necessary to realise that the German Democratic Republic is not a myth but an actual state, which has its own government and its own laws, its own system and its own frontiers. Every sovereign state has the right to safeguard and control its frontiers.

There are many persons who cry out that the border in Berlin interferes with communication between the population of West Berlin and the residents of the capital of the German Democratic Republic. But this is not true. Such claims can come only from people who would like to use entry into the G.D.R. for unlawful activity directed against the people's interests.

We know that the working people of socialist Germany give a warm and hospitable welcome to those who really want to establish friendly exchanges and to communicate with the working people of the German Democratic Republic, who come here with pure hearts and open souls. If difficulties do exist in communication between the population of West Berlin and

the residents of the capital of the German Democratic Republic, the blame rests with the occupation authorities and with the authorities of West Berlin. . . .

Quite recently Chancellor Adenauer, his hanger-on Brandt, who calls himself a socialist, and other reactionaries of Western Germany and West Berlin invited the American President to visit West Berlin. There is nothing bad in the actual fact of Mr. Kennedy's coming to West Berlin. Such a visit might have been welcomed, had it been a visit paid with good intentions. But those who invited the President did not do so, of course, with praiseworthy considerations. They wanted to have their unreasonable revenge-seeking aspirations reinforced.

That is precisely why the President was accompanied by the outgoing Chancellor and other West German politicians who, in actual fact, have nothing to do with West Berlin since, as has been repeatedly stated by us and our allies, West Berlin is not a part of Western Germany. Judging by press reports, the American President did not immediately agree to travel to West Berlin in the company of the outgoing Chancellor. Apparently he realised that such company could not fail to cast a shadow on his trip.

The fact that Mr. Kennedy met the aspirations of the West German revenge-seekers half way, cannot but disappoint those who would like to see confirmation of the President's recent speech at the American University in Washington(2), which was notable for its sober appraisal of the international situation In his speech he spoke about the need to revise and improve relations with the Soviet Union, to ease international tensions and end the state of cold war.

Only 13 days have gone by since the day when that speech was made. The President of the United States came to Western Germany and then to West Berlin and began to make absolutely different speeches there.(3) If one reads what he said in Western Germany, and especially in West Berlin, and compares this with the speech at the American University, one might think that the speeches were made by two different Presidents.

(2) Delivered 10th June, 1963. Text published in U.S. Department of State *Bulletin*, 1st July, 1963.

(3) *See* page 402.

It is hard to imagine how one and the same man can, within such a brief period and in conditions in which there have been no essential changes in the international situation, make speeches containing statements which are in complete contradiction with one another.

What is the reason for this? The reason is a very dangerous symptom. The President of the United States is competing with the President of France in courting the old West German widow. Both are trying to win her heart which has already grown cold and which often prompts the owner to utterly unconstructive thoughts. And if this widow is being courted in the way which these two wooers are employing, each drawing her to his heart, then the widow may become conceited and think that the solution of world problems really depends on her. In actual fact, little now depends on her. Wooing of this kind leads only to tension and to a very dangerously tense situation in the world.

This is borne out, for instance, by the nuclear policy of the United States. It is imposing these nuclear weapons on its allies under the signboard of the so-called NATO multilateral force. And this is being done although some of those allies have refused to take part in setting up such a nuclear force. Why is all this being done? It is being done, above all, in order to satisfy the desire of the West Berlin revenge-seekers, blinded as they are by hatred of communism, to receive nuclear weapons. Such a policy can lead to disastrous consequences.

By his speeches in West Berlin the President of the United States has scarcely convinced anyone that his position is correct and has not scared anyone by his support for the revenge-seeking leaders of Western Germany and West Berlin. He has only added poison to the international atmosphere, poisoned as it already is by the imperialists.

In order to make such anti-communist speeches as he did in Western Germany and West Berlin, the American President apparently made a thorough study of the speeches of the late Secretary of State Dulles, who dictated his will in the White House. Does the President of the United States plan to return now to the bankrupt policy that was proclaimed by Dulles when he was in power? . . .

We believe that the West German people will be realistic in understanding the situation, will realise what tremendous danger lies in the policy of revenge, will take their destinies into their own hands and will press for a policy which is in keeping with their own vital interests. And the vital interests of the German working people prompt them to the necessity of improving relations with the Soviet Union, with all the socialist countries, which want peace to be safeguarded. . . .

It was precisely a sober realisation of the outcome of a modern war that led a politician like President de Gaulle of France to the sober statement that Germany's eastern frontiers are immutable. The same is said by some statesmen in America, Britain and other NATO countries. Some of them state this publicly, others admit it in talks, at meetings with statesmen of socialist countries. . . .

In the first place, there are no insurmountable barriers between the Soviet Union and the Federal Republic of Germany that would preclude the possibility of co-operation between our countries. Of course, we stand at different ideological poles. There are different social systems in our countries. This, however, does not only divide the Soviet Union and the socialist countries on the one hand, and the Federal Republic of Germany on the other. The social and political division lies between two different systems—the socialist and capitalist systems—and not only Western Germany, but the United States, France, Britain, Italy and many other countries as well, belong to the capitalist system.

In these conditions there is only one reasonable road for relations between states with different social systems—the road of peaceful co-existence, peaceful economic competition. But if differences in the social and political systems do not prevent other capitalist countries from developing co-operation with the Soviet Union and other socialist countries, why can't Western Germany take to this road? . . .

Naturally, when a trading partner ostentatiously refuses to fulfil orders agreed upon earlier, this is a far cry from conscientiousness in commercial matters. Characteristic in this respect is the recent story of the pipes. The oil monopolies of the United States forced the Federal Republic of Germany

to refuse to deliver large-diameter pipes to the Soviet Union. Such actions, naturally, did not create insurmountable problems for us. Soviet enterprises increased the output of pipes. . . .

Formerly, when the border between the German Democratic Republic and West Berlin was not controlled, it was to the advantage of the imperialists to preserve the vestiges of the Second World War in order to conduct subversive activities against the G.D.R. and other socialist countries. Now that a firm, controlled and guarded border has been established(4) the imperialists have lost this advantage. Now it might be said, perhaps, that the West, too, should be no less interested in the signing of a peace treaty.

The aggressive circles of the western powers, however, do not want this. They are doing everything in their power to prevent the signing of a German peace treaty. The enemies of a peace settlement with Germany fear, as the devil fears holy water, that in the event of a peace treaty being signed, the West German population would realise the entire senselessness of continuing the cold war against the German Democratic Republic and other socialist countries. The reactionary circles oppose a peace treaty because they fear the disintegration of the aggressive grouping of the NATO bloc.

If we add to this the fact that the socialist countries have repeatedly expressed their readiness, not only to sign a peace treaty, but also to conclude a non-aggression pact between the two principal groupings—the Warsaw Treaty countries and the NATO countries—it becomes quite obvious who really stands for a peace settlement and who is hatching plots for military adventures and fostering the cold war. . . .

Comrades, I should like to speak about the question of ending nuclear tests. It will be remembered that the resumption of talks has been planned for mid-July in Moscow. The thought, of course, arises everywhere: Will a test-ban agreement be concluded now, at long last? This is a legitimate interest, and I should like to explain our views on this subject.

The Soviet government has more than once expressed its readiness, without any delay, to sign a treaty banning all nuclear

(4) *See* Vol. 166, pages 255 and 407.

tests for all time—I repeat, all nuclear tests, no matter where they are held. Many years ago we already raised the question of banning nuclear weapons and banning tests of those weapons.

However, the western powers, and above all the United States, do not accept such an agreement. They are endlessly stalling in the discussions, putting forward various artificial pretexts in order to evade the ending of all nuclear tests. They are insisting most obstinately on international inspections.

It has been proved by science and fully confirmed by practice that there is no need whatsoever for any inspections to control the ending of tests, including underground tests. The national facilities for detecting nuclear explosions at the disposal of states, all the more so if they are combined with automatic seismic stations, whose installation we accept, guarantee reliable control over the ending of all tests. All this notwithstanding, the western powers stubbornly link a solution to the problem of ending nuclear tests with so-called international inspections. . . .

The Soviet government is convinced that the early conclusion of an agreement banning all nuclear tests—in the atmosphere, in outer space, under water and underground—is in the interests of the peoples. However, this is now obviously impossible in view of the attitude of the western powers.

Carefully analysing the existing situation, the Soviet government, prompted by a high sense of responsibility for the destinies of the peoples, declares that since the western powers are obstructing the conclusion of an agreement banning all nuclear tests, the Soviet government expresses its willingness to conclude an agreement banning nuclear tests in the atmosphere, in outer space and under water. We have made this proposal before, but the western powers frustrated an agreement by putting forward supplementary conditions which envisaged large-scale inspection of our territory.

If the western powers now agree to this proposal, the question of inspection no longer arises, for the western powers declare that no inspections whatsoever are needed to check the fulfilment by the states of their commitments to stop nuclear tests in the atmosphere, in outer space and under water. Consequently the road to a solution of the problem is open. The Soviet

Government expresses the hope that the western powers, heeding the aspirations of the peoples, will adopt a positive attitude towards this proposal of the Soviet Government. . . .

Of course, an agreement on the ending of nuclear tests, notwithstanding all the importance of this major act, cannot stop the arms race, cannot avert or even substantially reduce the danger of thermonuclear war.

That is why the Soviet government believes that already now, at the conclusion of a test-ban agreement, it is also necessary to take another big step towards easing international tension and strengthening confidence between states—to sign a non-aggression pact between the two main military groupings of states—the N.A.T.O. countries and the Warsaw Treaty states. The Soviet Union and other socialist countries have been proposing such a pact for a number of years. We note with satisfaction that this proposal is enlisting increasing international support, including support in some N.A.T.O. countries. The time has now come to carry out this proposal.

A test-ban agreement, combined with the simultaneous signing of a non-aggression pact between the two groupings of states, will create a new international climate, more favourable for a solution to major problems of our time, including disarmament.

These problems affect the interests of the broadest masses of the people. That is precisely why the communists are urging all peoples, all sections of the population, irrespective of their political views and convictions, to rally in the common struggle to prevent another world war, to maintain lasting peace between states. . . .

MESSAGE to President Johnson from Mr. Khrushchev on President Kennedy's assassination.—Moscow, 23rd November, 1963[1]

I am deeply saddened by the news of the tragic death of the eminent statesman, John Fitzgerald Kennedy, President of the United States of America.

(1) U.S. Department of State *Bulletin*, 9th December, 1963, page 889.

The death of J. F. Kennedy is a heavy blow to all people who value world peace and Soviet-American cooperation.

The dastardly assassination of the President of the United States at a time when, as a result of the efforts of peace-loving peoples, there were noticeable signs of a relaxation of tension and prospects were opening up for an improvement in relations between the U.S.S.R. and the U.S.A., arouses the indignation of the Soviet people against the perpetrators of this infamous crime. From my personal meetings with J. F. Kennedy I remember him as a statesman of broad views, with a realistic grasp of the situation, striving to find a way to settle by means of negotiation the international problems now dividing the world.

The Soviet Government and the Soviet people share in the sorrow of the American people on the occasion of this great loss, and express the hope that the search for a settlement of the questions at issue, to which President J. F. Kennedy greatly contributed, will be continued in the interest of peace and the good of all mankind.

Accept, Mr. President, the expression of my personal sympathy.

N. KHRUSHCHEV

Chairman, Council of Ministers of the U.S.S.R.

MEMORANDUM OF UNDERSTANDING between the Soviet Union and the United States of America regarding the Establishment of a Direct Communications Link, with Annex.—Geneva, 20th June, 1963[1]

For use in time of emergency the Government of the United States of America and the Government of the Union of Soviet Socialist Republics have agreed to establish as soon as technically feasible a direct communications link between the two Governments.

Each Government shall be responsible for the arrangements for the link on its own territory. Each Government shall take the necessary steps to ensure continuous functioning of the link

(1) U.S. *Treaties and other International Acts Series* No. 5362.

and prompt delivery to its head of government of any communications received by means of the link from the head of government of the other party.

Arrangements for establishing and operating the link are set forth in the Annex which is attached hereto and forms an integral part hereof.

Done in duplicate in the English and Russian languages at Geneva, Switzerland, this 20th day of June, 1963.

For the Government of the United States of America:

(L.S.) CHARLES C. STELLE

Acting Representative of the United States of America to the Eighteen-Nation Committee on Disarmament.

For the Government of the Union of Soviet Socialist Republics:

(L.S.) SEMYON K. TSARAPKIN

Acting Representative of the Union of Soviet Socialist Republics to the Eighteen-Nation Committee on Disarmament.

ANNEX

The direct communications link between Washington and Moscow established in accordance with the Memorandum, and the operation of such link, shall be governed by the following provisions:

1. The direct communications link shall consist of:

a. Two terminal points with telegraph-teleprinter equipment between which communications shall be directly exchanged;

b. One full-time duplex wire telegraph circuit, routed Washington-London-Copenhagen-Stockholm-Helsinki-Moscow, which shall be used for the transmission of messages;

c. One full-time duplex radio telegraph circuit, routed Washington-Tangier-Moscow, which shall be used for service communications and for co-ordination of operations between the two terminal points.

If experience in operating the direct communications link should demonstrate that the establishment of an additional wire telegraph circuit is advisable, such circuit may be established by mutual agreement between authorised representatives of both Governments.

2. In case of interruption of the wire circuit, transmission of messages shall be effected via the radio circuit, and for this purpose provision shall be made at the terminal points for the capability of prompt switching of all necessary equipment from one circuit to another.

3. The terminal points of the link shall be so equipped as to provide for the transmission and reception of messages from Moscow to Washington in the Russian language and from Washington to Moscow in the English language. In this connection, the U.S.S.R. shall furnish the United States four sets of telegraph terminal equipment, including page printers, transmitters, and reperforators, with one year's supply of spare parts and all necessary special tools, test equipment, operating instructions, and other technical literature, to provide for transmission and reception of messages in the Russian language.

The United States shall furnish the Soviet Union four sets of telegraph terminal equipment, including page printers, transmitters, and reperforators, with one year's supply of spare parts and all necessary special tools, test equipment, operating instructions and other technical literature, to provide for transmission and reception of messages in the English language.

The equipment described in this paragraph shall be exchanged directly between the parties without any payment being required therefor.

4. The terminal points of the direct communications link shall be provided with encoding equipment. For the terminal point in the U.S.S.R., four sets of such equipment (each capable of simplex operation), with one year's supply of spare parts, with all necessary special tools, test equipment, operating instructions and other technical literature, and with all necessary blank tape, shall be furnished by the United States to the U.S.S.R. against payment of the cost thereof by the U.S.S.R.

The U.S.S.R. shall provide for preparation and delivery of keying tapes to the terminal point of the link in the United States for reception of messages from the U.S.S.R. The United States shall provide for the preparation and delivery of keying tapes to the terminal point of the link in the U.S.S.R. for reception of messages from the United States. Delivery of prepared keying tapes to the terminal points of the link shall be effected through the Embassy of the U.S.S.R. in Washington

(for the terminal of the link in the U.S.S.R.) and through the Embassy of the United States in Moscow (for the terminal of the link in the United States).

5. The United States and the U.S.S.R. shall designate the agencies responsible for the arrangements regarding the direct communications link, for its technical maintenance, continuity and reliability, and for the timely transmission of messages.

Such agencies may, by mutual agreement, decide matters and develop instructions relating to the technical maintenance and operation of the direct communications link and effect arrangements to improve the operation of the link.

6. The technical parameters of the telegraph circuits of the link and of the terminal equipment, as well as the maintenance of such circuits and equipment, shall be in accordance with CCITT(2) and CCIR(3) recommendations.

Transmission and reception of messages over the direct communications link shall be effected in accordance with applicable recommendations of international telegraph and radio communications regulations, as well as with mutually agreed instructions.

7. The costs of the direct communications link shall be borne as follows:

(*a*) The U.S.S.R. shall pay the full cost of leasing the portion of the telegraph circuit from Moscow to Helsinki and 50% of the cost of leasing the portion of the telegraph circuit from Helsinki to London. The United States shall pay the full cost of leasing the portion of the telegraph circuit from Washington to London and 50% of the cost of leasing the portion of the telegraph circuit from London to Helsinki.

(*b*) Payment of the cost of leasing the radio telegraph circuit between Washington and Moscow shall be effected without any transfer of payments between the parties. The U.S.S.R. shall bear the expenses relating to the transmission of messages from Moscow to Washington. The United States shall bear the expenses relating to the transmission of messages from Washington to Moscow.

(2) International Telegraph and Telephone Consultative Committee.
(3) International Radio Consultative Committee.

JOINT DECLARATION between Spain and the United States of America concerning the renewal of the Defence Agreement of 26 September, 1953, with Notes.—New York/ Washington, 26th September, 1963[1]

JOINT DECLARATION

The Governments of the United States of America and of Spain have engaged in discussions regarding their mutual security interests and their future relations in political, military and economic matters of common concern. In affirming the importance of their bilateral Defense Agreement[2], which will be applied in the new five-year period of its validity in the spirit of this Declaration, they consider it to be necessary and appropriate that the Agreement form a part of the security arrangements for the Atlantic and Mediterranean areas.

The United States Government reaffirms its recognition of the importance of Spain to the security, well-being and development of the Atlantic and Mediterranean areas. The two governments recognize that the security and integrity of both the United States and Spain are necessary for the common security. A threat to either country, and to the joint facilities that each provides for the common defense, would be a matter of common concern to both countries, and each country would take such action as it may consider appropriate within the framework of its constitutional processes.

The two governments, on behalf of the peoples of the United States and of Spain, have reaffirmed their friendship and mutual trust, and their determination to establish a close cooperation in order to strengthen the common defense, and to continue regular consultations on all political, military and economic matters of common interest. The two governments have similarly affirmed their desire to encourage economic growth and the expansion of trade and other economic relations among nations. They have reaffirmed their recognition of the common dangers, and their determination to maintain a close working relationship on all matters affecting their common interests and security.

(1) U.S. *Treaties and other International Acts Series* No. 5437.
(2) Vol. 160, page 755.

In order to assure continuing joint consultations on certain special matters of interest to them, the two governments have agreed upon the arrangements set forth in an exchange of notes of this date.

DEAN RUSK
Secretary of State of the United States of America

FERNANDO CASTIELLA
Minister of Foreign Affairs of Spain

NEW YORK, *September 26, 1963.*

(No. 1)—*The United States Secretary of State to the Minister of Foreign Affairs of Spain*

Department of State,
Washington.

September 26, 1963.

Excellency:

I have the honor to refer to discussions which have recently taken place concerning the mutual desire of the Government of the United States of America and the Government of Spain to develop arrangements, within the limits of their respective constitutional processes, which would enable the two Governments, through liaison and consultation on defense matters of mutual concern, and in accordance with the spirit of the Joint Declaration of this date, to carry out more effectively the specified purposes and objectives of the Defense Agreement of September 26, 1953, and its attendant technical and procedural agreements, and thereby improve and enhance their common defense; and to confirm the understandings reached as a result of these discussions, as follows:

1. There is hereby established a joint United States-Spanish Consultative Committee on Defense Matters with headquarters in Madrid.

2. The Committee for the sessions cited in numbered paragraph 4 shall be composed of:

(*a*) For Spain:

(1) Co-chairman of the Committee: The designee of the Spanish Government.

(2) Members: The designees of the Spanish Government.

(*b*) For the United States:

(1) Co-chairman of the Committee: The Chief of the Joint United States Military Group.

(2) Members: The Commanding General 16th Air Force, the Commander United States Naval Activities in Spain, the Commander 65th Air Division, and the Deputy Chief, United States Military Assistance Advisory Group.

3. The Committee and members thereof shall be assisted by such staff, military or civilian, as they consider appropriate.

4. The Committee shall in principle meet at monthly intervals, to consider military matters of mutual concern, so as to develop and improve through continuing military cooperation the security and effectiveness of jointly utilized facilities in Spain. The United States Ambassador to Spain, or his designee, may participate in its deliberations.

5. At the request of either Government special meetings of the Committee may be held from time to time in Madrid or in Washington which may be attended by the Foreign or other Ministers, or other high officials, of either Government.

6. The Committee by agreement between the Co-chairmen shall decide on matters within its competence as defined in paragraph 4 above and, when necessary, will recommend to the respective Governments how best to resolve in the mutual interest of the two countries such problems as may arise in connection with the operation of the facilities in Spain provided under the terms of agreements between the two Governments, matters arising from the operation of the Mutual Defense Assistance Agreement[2], and such other matters as either Government may direct the Committee to consider.

7. All Committee deliberations shall be held in closed session and the release of any public information shall be as mutually agreed by the Co-chairmen.

8. The Spanish Government shall provide suitable offices for the Committee. The Co-chairmen shall decide upon the necessary clerical and administrative support, the keeping of permanent records of the Committee, and the functioning of a joint military secretariat.

If the foregoing is acceptable to Your Excellency's Government, I have the honor to propose that this note and Your Excellency's reply indicating concurrence shall constitute an agreement between our two Governments on this matter.

Accept &c.

DEAN RUSK

(No. 2)—*The Minister of Foreign Affairs of Spain to the United States Secretary of State*

(Translation)

Washington, September 26, 1963.

Mr. Secretary of State:

I have the honor to acknowledge receipt of your note of this date which reads as follows:

[As in No. 1]

I have the honor to inform Your Excellency that the Spanish Government agrees to the foregoing text.

I avail, &c.

FERNANDO CASTIELLA

(No. 3)—*The Minister of Foreign Affairs of Spain to the United States Secretary of State*

(Translation)

Washington, September 26, 1963.

Mr. Secretary of State:

The importance of the renewal for five years of the Defense Agreement of September 26, 1953, between the Governments of the United States and Spain has been reaffirmed by the Joint Declaration of this date. The Spanish Government wishes

to express its satisfaction with the spirit of friendship and cooperation that has prevailed during the past ten years in the relationship between the armed forces of Spain and the United States and is confident that this same spirit will continue during the new term of the Agreement.

The Spanish Government understands that the United States Government, subject to Congressional action, will provide support, at an appropriate level, to the Spanish defense effort, by making available military assistance to the Spanish armed forces.

The Spanish Government is confident that the continuation of a close technical and scientific relationship between both countries would contribute to the achievement of a rapid and efficient modernization of the Spanish armed forces and military industries, within the framework of the economic and financial possibilities of Spain.

I avail, &c.

FERNANDO CASTIELLA

(No. 4)—*The United States Secretary of State to the Minister of Foreign Affairs of Spain*

Washington, September 26, 1963

Dear Mr. Minister,

The United States Government is pleased to acknowledge receipt of your letter of this date concerning the spirit of friendship and co-operation that has prevailed during the past ten years in the relationship between the armed forces of Spain and the United States. The United States Government appreciates the sentiments set forth in your letter and wishes to report, on its part, its complete satisfaction with the relationship.

In connection with the renewal for five years of the Defense Agreement of September 26, 1953, the United States Government confirms the understanding of the Spanish Government that, subject to Congressional action, the United States Government will provide support to the Spanish defense efforts, at an appropriate level, by making available military assistance to the Spanish armed forces. The United States Government also looks forward to the continuation, within the framework

of this military assistance program, of a close technical and scientific relationship between both countries which would contribute to the achievement of a rapid and efficient modernization of the Spanish armed forces and military industries.

Sincerely yours,

DEAN RUSK

JOINT THAI-UNITED STATES STATEMENT regarding the defence of Thailand.—Washington, 6th March, 1962[1]

The Foreign Minister of Thailand, Thanat Khoman, and the Secretary of State, Dean Rusk, met on several occasions during the past few days for discussions on the current situation in Southeast Asia, the Southeast Asia Collective Defense Treaty[2] and the security of Thailand.

The Secretary of State reaffirmed that the United States regards the preservation of the independence and integrity of Thailand as vital to the national interest of the United States and to world peace. He expressed the firm intention of the United States to aid Thailand, its ally and historic friend, in resisting Communist aggression and subversion.

The Foreign Minister and the Secretary of State reviewed the close association of Thailand and the United States in the Southeast Asia Collective Defense Treaty and agreed that such association is an effective deterrent to direct Communist aggression against Thailand. They agreed that the Treaty provides the basis for the signatories collectively to assist Thailand in case of Communist armed attack against that country. The Secretary of State assured the Foreign Minister that in the event of such aggression, the United States intends to give full effect to its obligations under the Treaty to act to meet the common danger in accordance with its constitutional processes. The Secretary of State reaffirmed that this obligation of the United States does not depend upon the prior agreement of all other parties to the Treaty, since this Treaty obligation is individual as well as collective.

(1) U.S. Department of State *Bulletin*, 26 March, 1962, pages 498-499.
(2) Vol. 161, page 365.

In reviewing measures to meet indirect aggression, the Secretary of State stated that the United States regards its commitments to Thailand under the Southeast Asia Collective Defense Treaty and under its bilateral economic and military assistance agreements with Thailand as providing an important basis for United States actions to help Thailand meet indirect aggression. In this connection the Secretary reviewed with the Foreign Minister the actions being taken by the United States to assist the Republic of Viet-Nam to meet the threat of indirect aggression.

The Foreign Minister assured the Secretary of State of the determination of the Government of Thailand to meet the threat of indirect aggression by pursuing vigorously measures for the economic and social welfare and the safety of its people.

The situation in Laos was reviewed in detail and full agreement was reached on the necessity for the stability of Southeast Asia, of achieving a free, independent and truly neutral Laos.

The Foreign Minister and the Secretary of State reviewed the mutual efforts of their governments to increase the capabilities and readiness of the Thai armed forces to defend the Kingdom. They noted also that the United States is making a significant contribution to this effort and that the United States intends to accelerate future deliveries to the greatest extent possible. The Secretary and the Foreign Minister also took note of the work of the Joint Thai-United States Committee which has been established in Bangkok to assure effective co-operation in social, economic and military measures to increase Thailand's national capabilities. They agreed that this Joint Committee and its sub-committees should continue to work toward the most effective utilization of Thailand's resources and those provided by the United States to promote Thailand's development and security.

The Foreign Minister and the Secretary were in full agreement that continued economic and social progress is essential to the stability of Thailand. They reviewed Thailand's impressive economic and social progress and the Thai Government's

plans to accelerate development, particularly Thailand's continuing determination fully to utilize its own resources in moving toward its development goals.

The Foreign Minister and the Secretary of State also discussed the desirability of an early conclusion of a treaty of friendship, commerce and navigation between the two countries which would bring into accord with current conditions the existing treaty of 1937(3).

(3) Vol. 141, page 1214.

RESOLUTION of the United Nations Security Council on Apartheid in South Africa.—New York, 7th August, 1963(1)

The Security Council,

Having considered the question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Republic of South Africa, as submitted by the thirty-two African Member states,

Recalling Security Council resolution S/4300 of 1 April 1960,

Taking into account that world public opinion has been reflected in General Assembly resolution 1761 (XVII)(2) and particularly in its paragraphs 4 and 8,

Noting with appreciation the two interim reports of the Special Committee on the policies of *apartheid* of the Government of South Africa contained in documents S/5310 of 9 May and S/5353 of 17 July 1963,

Noting with concern the recent arms build-up by the Government of South Africa, some of which arms are being used in furtherance of that Government's racial policies,

Regretting that some States are indirectly providing encouragement in various ways to the Government of South Africa to perpetuate, by force, its policy of *apartheid,*

(1) U.N. Security Council Resolution 181 (1963), Document S/5386. The Resolution was adopted by a vote of 9–0, with two abstentions (France and the United Kingdom).

(2) Vol. 166, page 996.

Regretting the failure of the Government of South Africa to accept the invitation of the Security Council to delegate a representative to appear before it,

Being convinced that the situation in South Africa is seriously disturbing international peace and security,

1. *Strongly deprecates* the policies of South Africa in its perpetuation of racial discrimination as being inconsistent with the principles contained in the Charter of the United Nations and contrary to its obligations as a Member State of the United Nations ;

2. *Calls upon* the Government of South Africa to abandon the policies of *apartheid* and discrimination as called for in the previous Security Council resolution of 1 April 1960, and to liberate all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of *apartheid* ;

3. *Solemnly calls upon* all States to cease forthwith the sale and shipment of arms, ammunition of all types and military vehicles to South Africa ;

4. *Requests* the Secretary-General to keep the situation in South Africa under observation and to report to the Security Council by 30 October 1963.

RESOLUTION of the United Nations General Assembly on the question of Southern Rhodesia.—Adopted New York, 14th October, 1963[1]

The General Assembly,

Having examined the situation in Southern Rhodesia,

Recalling its resolutions 1514 (XV) of 14 December 1960[2], 1747 (XVI) of 28 June 1962[3] and 1760 (XVII) of 31 October 1962[4], and the resolution adopted on 20 June 1963 by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

(1) U.N. General Assembly Resolution 1883 (XVIII).
(2) Vol. 164, page 800.
(3) Vol. 166, page 975.
(4) Vol. 166, page 995.

Noting that the Special Committee has drawn the attention of the Security Council to the deterioration of the explosive situation which prevails in the Non-Self-Governing Territory of Southern Rhodesia,

Recognising that the practice of racial discrimination is incompatible with the principles of the Charter of the United Nations and should be condemned wherever it occurs.

Recognising that the present Government in Southern Rhodesia came to power as a result of an undemocratic and discriminatory constitution imposed on the population of Southern Rhodesia and opposed by the overwhelming majority of that population,

Considering that the transfer to that Government of the powers and attributes of sovereignty, in particular the control and operation of military forces and arms, would aggravate an already explosive situation,

Noting that the Security Council has considered this question(5),

1. *Invites* the Government of the United Kingdom of Great Britain and Northern Ireland not to transfer to its colony of Southern Rhodesia, as at present governed, any of the powers or attributes of sovereignty, but to await the establishment of a government fully representative of all the inhabitants of the colony;

2. *Invites* the Government of the United Kingdom not to transfer armed forces and aircraft to its colony of Southern Rhodesia, as envisaged by the Central African Conference held in 1963;

3. *Further invites* the Government of the United Kingdom to put into effect the General Assembly resolutions on the question of Southern Rhodesia, in particular resolutions 1747 (XVI) and 1760 (XVII).

(5) On September 13 the United Kingdom vetoed a resolution (U.N. doc. S/5425/Rev. 1) submitted on September 11 to the Security Council by Ghana, Morocco and the Philippines.

the wider the agreement the better. An ideal solution would be to immediately conclude a treaty on general and complete disarmament. We insist on such a treaty now, as we did before. Maybe the Chinese leaders know the secret of how to solve this problem at one fell swoop? As far as we are concerned, we consider it better to do a part than to do nothing when an agreement on such a partial measure is in the interests of peace, in the interests of socialism. If, in present conditions, it is not yet possible to solve the problem at once in its entirety, the only reasonable way out is to solve it step by step. One must be absolutely out of touch with realities to advance the alternative of "all or nothing" with regard to matters involving the destinies of the world and the lives of millions of people.

It is not too difficult to throw right and left the simple and easy formula—all or nothing. In practice such a demand is devoid of any real content. Can such an approach to international affairs be regarded as realistic? It is the duty of communists, above all communists who are leaders of states, to work, even though it be step by step, to relieve the peoples of the danger of nuclear war and annihilation. The Soviet Government is convinced that there is not a single country on earth whose people would give their seal of approval to a policy that dooms human beings to breathe radioactive air or which would approve plans for a limitless nuclear arms race and for giving access to nuclear weapons to the most adventurous circles of the imperialist camp, including the West German revenge seekers. No, there are no such people!

The test-ban treaty can be objected to only by people who stand aside from the struggle of the peoples against nuclear war and who cover up with a flashy phrase about the most radical disarmament measures their lack of readiness or desire to achieve disarmament. Only those people may object who view the struggle for general and complete disarmament as mere bystanders to whom real success in the struggle for peace is of no consequence. To those, on the other hand, who do wage this struggle, every step toward this great goal is important. The Chinese leaders, by the way, had to admit themselves in their statement that the complete prohibition of nuclear weapons should be approached "gradually." But if they recognise the need for this approach—and there is no other in the present conditions—why then, one may ask, is the Soviet Union being

reproached with not being able to secure the solution of the entire problem at one go? Apparently, the Chinese leaders, carried away by the polemic, consider that logic is not obligatory for them in this case.

* * * * *

The position of the Government of the Chinese People's Republic runs counter to the Leninist policy of peaceful co-existence of states with different social systems. Thereby the Chinese leaders openly place themselves in opposition to the socialist commonwealth, to the whole of the world communist movement, to all peace-loving peoples of Europe, Asia, Africa, and America.

The Chinese Government cannot fail to understand that by embarking on such a road it inflicts direct damage on the unity of the socialist camp and weakens the united front of the struggle against imperialism.

Such actions can only bring joy to the enemies of peace whose cherished aim is to disunite, to alienate the socialist countries, to break the great unity of the peoples of the socialist community, to undermine the world system of socialism from inside.

It is impossible not to see also that the statement of the Chinese Government containing attacks on our country, on the policy of the Soviet Union, is one more evidence that the Chinese leaders transfer ideological differences to interstate relations. It is impossible to explain otherwise the appearance in this document of such impudent allegations as that by concluding the treaty on banning nuclear tests the Soviet Government " betrayed the interests of the Soviet people, betrayed the interests of the peoples in the socialist countries, including China, and betrayed the interests of the peace-loving peoples of the whole world."

It is difficult to say what predominates here—political irresponsibility or irritation of the people whose expectations are dashed to the ground by life itself. Who empowered the C.P.R. Government to speak in the name of the Soviet people and for them? Who asked it to speak for the peoples of the other socialist countries? The authors of the statement must be losing

their nerve if—disregarding the elementary standards of relations between states, let alone standards of relations between fraternal socialist countries—they seek, in their statement, to counterpoise the Soviet people to the Soviet Government. The hopelessness of such attempts has long been realised even by the imperialists who, in the years of the intervention, and then in the years of World War II, broke their teeth on the monolithic unity of the Soviet people with the Soviet Government and the glorious Communist Party. This was a vote by blood and life for Soviet power in our country, for the policy of the Communist Party and our own Soviet Government. And today, by their magnificent labour achievements in building communism, the Soviet people vote for the peaceful policy of their government and express unlimited confidence in and support for the Communist Party of the Soviet Union, its Central Committee.

In whose footsteps do the Chinese leaders intend to follow? In the statement of the C.P.R. Government one cannot discover, even with the help of a microscope, the least trace of respect for the sovereignty of the Soviet state, although communists and the socialist countries not only proclaim, but must consistently uphold, the principles of sovereignty and non-interference in internal affairs in international relations, including relations between socialist countries. What can one oppose in the question of national sovereignty to the imperialist policy of trampling upon the sovereign rights of peoples, if the government of a socialist state flouts the principle of respect for sovereignty and goes so far as to make insulting attacks on fraternal countries, on fraternal peoples?

Only people who have fenced themselves off with a wall of dogmatic notions from what agitates mankind, from the concerns and hopes of the men of labour, can either fail to see or pretend not to see the tremendous changes taking place on our planet and not believe in the reason and will of the peoples who are today capable of preventing a world thermonuclear war.

The C.P.R. Government is trying to find some contradictions in the position of the Soviet Union. But while artificially selecting quotations and juggling with words they forget the simple truth that life does not mark time. Science and technology are developing tempestuously. And what was unacceptable only yesterday might prove useful, even most useful, today.

So it is, precisely, with the prohibition of nuclear weapons tests in the atmosphere, in outer space and under water. There can hardly be any doubts as to who is more competent to be the judge in this—those who possess nuclear weapons and hold their tests, or others who know about them only from literature. There can be no two opinions on this score.

As regards the proposal of the C.P.R. Government for calling an international conference with the participation of the heads of state for discussing relevant problems, including the problem of disarmament, the Soviet Government, of course, cannot object to it since it is its own proposal. This is one of the suggestions repeatedly made by the Soviet Government. In making such a proposal we proceeded from the fact, and we stated so, that no one can assume any commitments for the Chinese People's Republic except its own government, and that consequently the question of China's commitments can be discussed only with the participation of the C.P.R. Government. The Soviet Government continues to firmly adhere to this position.

In this connection the question arises of why the C.P.R. Government found it necessary right now to put forth the proposal for an international conference for dealing with the disarmament question and a number of other international problems and to claim that this is some novelty? Again, it is in order to camouflage refusal to sign the treaty on banning nuclear weapons tests.

In an effort to discredit in the eyes of the peoples the doubtless successes in the struggle for diminishing the war threat, and to vilify the peaceful foreign policy of the Soviet Union, the Chinese leaders have shown to the whole world that their policy leads to an aggravation of international tensions and to the further stepping up of the nuclear arms race, as well as to a still further expansion of its scope and scale.

This position is tantamount to actual connivance with those who advocate world thermonuclear war and who are against the settlement of the disputable international problems at a conference table. There is no doubt that this position cannot but meet, and does meet, with the resolute condemnation of the peoples of the socialist countries, of all peace-loving states, of all those for whom the cause of peace and progress is dear.

* * * * *

3.—STATEMENT BY THE CHINESE GOVERNMENT, 15TH AUGUST, 1963

. . . The Soviet Government persisted in its stand of rejecting the partial stoppage of nuclear tests. As late as 9 June 1963, it notified the Chinese Government that the Western powers' position on the halting of nuclear tests could not yet serve as a basis for agreement, and that whether negotiations could yield any results depended entirely on the Western powers.

On 15 June 1963, answering questions put by the editors in chief of *Pravda* and *Izvestiya* on the U.S. President's speech of 10 June(7), Soviet leader Khruschev said: "As far as the Soviet Union is concerned, we are ready to sign an agreement on the discontinuance of all nuclear tests today. It is up to the West now. We agreed to a meeting among the representatives of the three powers in Moscow, to try once again to reach an agreement on this question. But the success of this meeting will depend on what the United States and British representatives bring with them to our country."

On 25 July 1963, the Soviet leaders suddenly changed their above stand and accepted the refurbished version of the U.S.-British draft treaty, and signed the treaty on the partial halting of nuclear tests(8).

The Soviet leaders say the situation has changed. When did it change? How did it change? Why is it that what was unacceptable on 15 June became acceptable on 25 July, and very useful into the bargain? What changes took place within those 40 days? Why did you not provide a little explanation? Why did you not give some reasons? If what you said yesterday no longer counts today, will what you say today no longer count tomorrow? You were either insincere then, or you are deliberately deceiving people now. The Soviet leaders' betrayal of the Soviet people, of the countries in the socialist camp and of the people of the whole world can by no means be denied.

2. The circumstances remain unchanged. The policy of U.S. imperialism has not changed. It is the Soviet leaders who have changed. . . .

3. Why did U.S. imperialism want such a treaty?

(7) Published in U.S. Department of State *Bulletin*, 1st July, 1963, page 2.
(8) Page 178.

After dropping the first atom bomb on Hiroshima in August 1945, U.S. imperialism tried to exploit its monopoly of nuclear weapons in order to push its policies of aggression and war, to enslave the people and lord it over the whole world. But the U.S. policy of nuclear blackmail was unable to prevent the peoples of China, Korea, Vietnam, Cuba, and other countries from winning great victories in their revolutionary struggles.

The Soviet possession of nuclear weapons smashed the nuclear monopoly of the United States and placed the U.S. imperialists in the position of courting self-destruction should they try to destroy others. At the same time, all the world's peace-loving countries and people unfolded increasingly powerful struggles against nuclear war and for the banning of nuclear weapons. All this rendered the U.S. imperialist policy of nuclear blackmail less and less effective.

In the face of this unfavourable situation, U.S. imperialism, while maintaining the means of " massive retaliation ", had to adopt and stress the " strategy of flexible response ", which means preparing for both nuclear war and conventional war, and both continuing the development of strategic nuclear weapons as means of nuclear blackmail and threats, and energetically developing tactical nuclear weapons in preparation for launching " limited nuclear wars " when necessary.

It was in pursuit of this counter-revolutionary strategy that the United States needed a treaty on halting nuclear tests which would: divorce the cessation of nuclear tests from the general task of banning nuclear weapons and, by such a cessation, provide a screen for U.S. nuclear war preparations: exclude a prohibition on underground nuclear tests, so that the United States could improve its strategic nuclear weapons and develop tactical nuclear weapons; insure that the United States and its allies will gain nuclear superiority over the Soviet Union and further develop it; and bind all the socialist countries except the Soviet Union and all countries subjected to aggression, without hindering the United States from proliferating its nuclear weapons among its allies and countries under its control.

From beginning to end, the tripartite treaty which has just been concluded satisfies these requirements of the U.S. imperialist global strategy.

4. By completely divorcing the cessation of nuclear tests from the general task of banning nuclear weapons, the tripartite treaty creates an illusion of peace, lulls the vigilance of the people of the world, and provides a screen behind which U.S. imperialism can continue to manufacture, develop, and proliferate nuclear weapons, gain nuclear superiority and prepare for a nuclear war.

The authors of the Soviet Government's statement completely forget what the Soviet leaders more than once pointed out, that is, that a treaty exclusively concerned with the halting of nuclear tests is a deal for deceiving the people. On the contrary, they boast that the tripartite treaty can protect mankind against the dangerous consequences of contamination by radioactive substances. They are cajoling support for the tripartite treaty by exploiting the people's natural desire to avoid contamination by radioactive substances. . . .

U.S. Defence Secretary McNamara said on 13 August that the United States is determined to maintain its nuclear superiority over the Soviet Union. If testing continued indefinitely without limit, the most likely ultimate result would be technical parity between the United States and the USSR. Since the United States has more experience in underground nuclear tests, to ban other forms of nuclear testing while preserving underground tests will retard Soviet progress and enhance the superiority of the United States. An underground nuclear explosion was demonstratively conducted by the United States less than a week after the formal signing of the tripartite treaty.

The United States can continue to improve its strategic nuclear weapons by means of underground tests. These strategic weapons are increasingly becoming a means of political blackmail as they and their means of delivery are being developed more and more and being manufactured and stockpiled in ever greater quantities, and a nuclear stalemate has arisen as a result.

At present, the United States is eagerly seeking to develop tactical nuclear weapons. It intends to use tactical nuclear

weapons in local wars in order to deal with non-nuclear socialist and other peace-loving countries and people, and in particular to deal with the Asian, African, and Latin American countries and people which are subjected to oppression and aggression.

If this U.S. imperialist scheme should be allowed to succeed, and if U.S. imperialism should be permitted to win in one local war after another and so change the international balance of forces, it would in turn definitely increase the danger of a total nuclear war. This situation cannot but arouse the people's serious vigilance.

* * * * *

Can this treaty prevent U.S. imperialism from proliferating its nuclear weapons, and the technical data for their manufacture, among the West German revanchists and other allies of the United States and countries under its control? No, absolutely not. The U.S. Government has constantly stressed that it cannot, and the Soviet leaders are aware of this, too.

* * * * *

Who will believe that this paper treaty can possibly prevent the United States from proliferating nuclear weapons and nuclear secrets among its allies and countries under its control, especially West Germany? The Soviet leaders are attempting to justify their act of capitulation by playing on the righteous feelings of the people of Europe against the revival of West German militarism. This attempt has failed in the face of ironclad facts and will go thoroughly bankrupt in the end.

7. The object of U.S. imperialism in advocating the prevention of nuclear proliferation is not at all to manacle itself but to manacle socialist countries other than the Soviet Union. The United States is trying to achieve this object by consolidating the nuclear monopoly position of the United States, Britain, and the Soviet Union. The Soviet leaders are fully supporting this plot and playing an active part in carrying it out.

The statement of the Soviet Government says: "Is it not a fact that what the CPR Government statement terms a nuclear monopoly, that is, the possession by the Soviet Union of these weapons, did play a definite, one might even say the decisive,

role in preventing the socialist countries, including the CPR, from becoming objects of imperialist aggression and in enabling them successfully to build socialism and communism ?"

We cannot agree with this view. In fighting imperialist aggression and defending its security, every socialist country has to rely in the first place on its own defence capability, and then—and only then—on assistance from fraternal countries and the people of the world. For the Soviet statement to describe all socialist countries as depending on the nuclear weapons of the Soviet Union for their survival is to strike an out-and-out great-power chauvinistic note and to fly in the face of the facts.

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10. The conclusion of the tripartite treaty once again shows that the Soviet leaders seek only to preserve themselves and would leave other people to sink or swim. They have repeatedly said that as long as they themselves survive and develop, the people of the world will be saved. The fact is they are selling out the fundamental interests of the people of the world in order to seek their own momentary ease. All countries and peoples subjected to oppression and aggression are now engaged in earth-shaking struggles against imperialism, and old and new colonialism headed by the United States, and for their own independence and freedom.

Yet the Soviet leaders, of one mind with U.S. imperialism, have collaborated with it in a fraud and want the people of the world to believe that the U.S. imperialists are "peace fighters", thus lulling their fighting will and undermining the cause of world peace. But the people of all countries will not likewise regard enemies as friends. Their own bitter experiences will enable them to realise gradually that they can save themselves and insure world peace only by carrying through to the end the struggle against imperialism and old and new colonialism headed by the United States.

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In order to realise the complete prohibition of nuclear weapons step by step it is necessary to carry on an unswerving struggle. As a minimum, it is necessary, in the light of the proposal of the Chinese Government(9), first of all to compel

(9) *See* Document 1 above.

the nuclear powers to undertake not to use, or test, or proliferate nuclear weapons and undertake to respect the nuclear weapon-free zones. Only when these undertakings are secured can we regard the situation as having advanced a step toward peace. . .

11. It is not only at present that the Soviet leaders have begun to collude with U.S. imperialism and attempt to manacle China. As far back as 20 June 1959, when there was not yet the slightest sign of a treaty on stopping nuclear tests, the Soviet Government unilaterally tore up the agreement on new technology for national defence concluded between China and the Soviet Union on 15 October 1957, and refused to provide China with a sample of an atomic bomb and technical data concerning its manufacture. This was done as a presentation gift at the time the Soviet leader went to the United States for talks with Eisenhower in September([10]).

On 25 August 1962, two days before the United States and Britain put forward their draft treaty on the partial halting of nuclear tests([2]), the Soviet Government notified China that U.S. Secretary of State Rusk had proposed an agreement stipulating that, firstly, the nuclear powers should undertake to refrain from transferring nuclear weapons and technical information concerning their manufacture to non-nuclear countries, and that, secondly, the countries not in possession of nuclear weapons should undertake to refrain from manufacturing them, from seeking them from the nuclear powers or from accepting technical information concerning their manufacture. The Soviet Government gave an affirmative reply to this proposal of Rusk's.

The Chinese Government sent three memoranda to the Soviet Government, on 3 September 1962, 20 October 1962, and 6 June 1963, stating that it was a matter for the Soviet Government whether it committed itself to the United States to refrain from transferring nuclear weapons and technical information concerning their manufacture to China ; but the Chinese Government hoped the Soviet Government would not infringe on China's sovereign rights and act for China in assuming an obligation to refrain from manufacturing nuclear weapons.

([10]) *See* Vol. 164, page 301.

We solemnly stated that we would not tolerate the conclusion, in disregard of China's opposition, of any sort of treaty between the Soviet Government and the United States which aimed at depriving the Chinese people of their right to take steps to resist the nuclear threats of U.S. imperialism, and that we would issue statements to make our position known.

We hoped that after such earnest counsel from us, the Soviet leaders would rein in before reaching the precipice and would not render matters irretrievable. Unfortunately, they did not pay the slightest attention to our counsel. They finally concluded the treaty on the partial halting of nuclear tests with the United States and Britain, thereby attempting to bring pressure to bear on China and force it into commitments.

The whole course of events amounts to this: First the Soviet Government tried to subdue China and curry favour with U.S. imperialism by discontinuing assistance to China. Then it put forward all sorts of untenable arguments in an attempt to induce China to abandon its solemn stand. Failing in all this, it has brazenly ganged up with the imperialist bandits in exerting pressure on China. In view of all the above, China has long ceased to place any hope in the Soviet leaders in developing its own nuclear strength to resist the U.S. nuclear threats. . .

By concluding the tripartite treaty the Soviet leaders are trying to show the correctness of the so-called general line of peaceful coexistence which they have been following since the 20th Congress of the Communist Party of the Soviet Union. To glory in one's shame—this can only make people split their sides. What does the conclusion of the tripartite treaty show? It merely shows that the line followed by the Soviet leaders in foreign affairs is one of out-and-out capitulation.

The imperialists are of course willing to coexist with those who surrender to them. However, this is not peaceful coexistence but capitulationist coexistence.

The Soviet leaders have already gone far along the wrong road. We hope they will reconsider their position and return to the road of Marxism-Leninism and proletarian internationalism, to the road of unity with the countries in the socialist camp and the people of the world.

4.—STATEMENT BY THE SOVIET GOVERNMENT, 21ST AUGUST, 1963

The position of the Government of the Chinese People's Republic, set forth in the statement of 15 August,[11] can be understood only in the sense that the Chinese leaders do not care how the nuclear weapons spread among the capitalist countries as long as the CPR leaders get a chance to lay their hands on a nuclear bomb and see what it is like.

It must be admitted that, being at a definite stage of its economic development, possessing a definite economic potential, the CPR is yet unprepared to produce nuclear arms in quantity. Even if the CPR were to produce two or three bombs, this would not solve its problem but would bring about a great exhaustion of the CPR economy. We know from our own experience what it costs for a country, for a people, to produce nuclear arms on a large scale, at a level meeting modern military techniques, modern defence requirements.

But we were compelled to do this in order to stand up against the imperialist camp, which possessed such arms. And the CPR can now rely on the means of defence which have been developed through the efforts of the Soviet people and which reliably serve the purposes of defending the countries of the socialist commonwealth.

This is why the most reasonable policy for the CPR in the present conditions—if, of course, its desires and potential are to be commensurate—would be to devote its efforts to the development of the national economy, science, technology, and agriculture, devoting them to raising the welfare of the Chinese people, to meeting their vital needs. The Chinese people are experiencing many privations, and this is why such a course in the policy of the Chinese leaders would be more beneficial to the Chinese people, would be more appreciated by them and correctly understood throughout the world.

Let us grant that by overstraining its economy the CPR will finally be able to produce a few atomic bombs. But how many such bombs would in this case be aimed by the imperialists at the CPR? Would the Chinese leaders then feel themselves more secure, even though sitting on their own atomic bomb?

(11) Document 3 above.

If the threat of a new war were to grow in the West—and this would inevitably occur in the event of the further spread of nuclear arms among the capitalist states—China would hardly feel itself in greater security than today.

In one's imagination, and only thus, one can put up a wall of any height and any thickness between the events in the West and the developments in the East. In reality there is no such wall. This was true even before World War I, it was confirmed by the experience of both world wars; and today, when distances on the earth are shrinking due to the development of science and technology, this has become even more obvious.

If the leaders of any country, big or small, do not wish to see the international situation as it is but proceed in their policy from the belief that only what takes place in their own house is important and everything that occurs in other areas of the world is unimportant, such a frame of mind smacks of restricted provincialism and scholasticism. Such views are simply dangerous in life due to their adventuristic nature.

The Chinese leaders abuse the Soviet Union in every way because it has nuclear arms while the CPR does not have them.

Can the CPR leaders say openheartedly that without the nuclear might of the USSR, without the might which has served the interests of all the socialist countries all these years, without the policy of peace and of containment of the forces of aggression which the Soviet Union pursued and pursues, China could peacefully engage in its domestic tasks of economic and political development today?

No, the leaders of the CPR would have had to admit that they can afford such a luxury as their statements against the nuclear test-ban treaty([12]) and their rude attacks on the Soviet Union and the CPSU only because the external security of China is guaranteed by the might of the Soviet Union and all the socialist commonwealth.

Indeed, they cannot be unaware of the true value of their claim that "in the struggle against imperialist aggression, in defending its security, every socialist state relies primarily on its own defensive potential and only then on the support and help of the fraternal countries and the peoples of all the world." It

([12]) Documents 1 and 3, above.

is true, of course, that every socialist country makes its contribution to the common cause of insuring the security of the entire socialist commonwealth ; and the fulfilment of the duty by each one of them in this relation deserves every respect.

But the attempt of any socalist state to rely only on its own forces in insuring its defences—forces which, moreover, may not be sufficient in all countries—can prove to be a fatal mistake in the age of nuclear arms. All the socialist countries, including the CPR, no matter how its leaders try to prove the opposite, take into account when organising their defences the nuclear might of the Soviet Union, which contains the aggressive quarters of the Western powers. . . .

The statements of the Chinese leaders reveal a growing tendency to speak on behalf of the peoples of practically all the world, including the Soviet people, the peoples of the other socialist countries, and also the young national states of Asia, Africa, and Latin America. But who gave the Chinese leaders the right, the Soviet people inquire with indignation, to determine for us, for the Soviet Government, for the Communist Party, what conforms and what does not conform to our interests? We have not given you this right, and do not intend to give it to you. Who gave the leaders of the CPR the right to speak on behalf of the peoples of the other socialist countries? Have they asked for the view of the Poles, Germans, Czechoslovaks, Rumanians, Bulgarians, Hungarians, Yugoslavs, and Mongolians in the discontinuance of nuclear weapon tests and are they drawing up their statements on the basis of this view? No. they have not asked for the view of the peoples of these countries.

They simply maintain that they can say anything that comes into their heads—that they can make Peking's voice pass for the voice of Warsaw, Berlin, Ulan Bator, or the capitals of the other socialist countries.

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Although the CCP leaders do not state this openly, the contents of both statements of the CPR Government on the nuclear test-ban treaty imply not an ending, but on the contrary, a continuation of nuclear weapons tests in the atmosphere, and that holding of tests in outer space and under water would be in the interests of people and peace. However, it is permissable to ask where and when did people announce their readiness to

breathe radioactive air and eat radioactive food? We do not know of such statements. We also have no knowledge of the Chinese people saying: Yes, let nuclear weapons tests continue for we are ready for radioactive substances to poison our blood, settle in our bones and bring incurable diseases to us and our children and through heredity to our posterity. We have not heard the Chinese people saying anything of this sort.

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DECLARATION OF CENTRAL AMERICA.—San José, Costa Rica, 19th March, 1963[1]

The Presidents of the Republics of Central America and Panama are determined to improve the well-being of their peoples, and are aware that such a task demands a dynamic economic and social development program based on the carefully planned use of human, natural and financial resources. It also depends on important changes of the economic, social and administrative structure, within the framework of the principles that govern our democratic institutions. They have met with the President of the United States of America in San José, Costa Rica, to review the difficulties which impede the achievement of these objectives as well as the progress thus far made in the Isthmus since the integration programs began and since the Alliance for Progress was jointly established by the Republics of the Hemisphere in August 1961[2].

Following an analysis of the situation, the Presidents of the Republics of Central America, convinced that the best hope for the development of the region is through economic integration, and bearing in mind the extraordinary efforts made toward this end in the last decade and of the importance of accelerating over-all economic growth, pledge to their peoples:

—To accelerate establishment of a customs union to perfect the functioning of the Central American Common Market;

—To formulate and implement national economic and social development plans, coordinating them at the Central American

(1) U.S. Department of State *Bulletin*, 8th April, 1963, pages 515–517. The Declaration has been approved by the Presidents of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Panama and the United States.
(2) Vol. 166, page 410.

level, and progressively to carry out regional planning for the various sectors of the economy ;

—To establish a monetary union and common fiscal, monetary and social policies within the program of economic integration ;

—To cooperate in programs to improve the prices of primary export commodities ;

—To complete as soon as possible the reforms needed to achieve the objectives set forth in the Act of Bogotá(3) and the Charter of Punta del Este(4) especially in the fields of agriculture, taxation, education, public administration, and social welfare ;

—To take the above measures with a view to achieving the creation of a Central American Economic Community which will establish relationships with other nations or regional groups having similar objectives.

The Central American Presidents affirm that the economic integration movement in itself constitutes an effort which is laying the groundwork for regional planning in which sectoral plans of common interest to the Isthmian Republics serve as a point of departure. Their governments have already taken measures to coordinate national plans so that their execution will aid rather than impede the achievement of the objectives of the economic integration program. It is intended that the first global plan for harmonious regional development be presented as soon as possible for evaluation in accordance with the procedures set forth in the Charter of Punta del Este. Meanwhile, the Central American Presidents declare their resolve to proceed immediately with their sectoral plans and with projects of interest to the Isthmus. The President of the United States agrees to consider a long-term loan to enable the appropriate Central American regional organizations, principally the Central American Bank for Economic Integration, to conduct economic feasibility surveys relative to this program of regional development.

The Presidents of Central America reaffirm their hope that the Republic of Panama will participate more closely in the economic integration movement, and the President of Panama declares that his Government fully reaffirms its support of the

(3) Vol. 164, page 637.
(4) Vol. 166, page 414.

program of Central American economic integration. He further declares that his Government is prepared to initiate immediate negotiations with the Governments of the general treaty of economic integration as a whole with a view to concluding a special agreement to facilitate the association of his country with this program.

The President of the United States is impressed by the determination of the Presidents of the Central American Republics to move as rapidly as possible toward the integration of the economies of their countries, and of their intention to formulate a regional economic development plan within which national plans would be coordinated, and he believes that the coordination of their respective monetary, fiscal, economic and social policies is a great step forward in the achievement of this objective as well as toward the achievement of the goals set forth in the Charter of Punta del Este.

The President of the United States is prepared to offer the greatest cooperation in the preparation and implementation of the regional and national development projects of Central America and Panama and declares that his government will intensify its joint efforts with the governments and appropriate regional organizations in order to extend to them increased technical and financial assistance for this purpose within the framework of the broad regional program entitled "Joint Exposition of the Presidents of Central America" and the development plan being prepared by Panama.

To this end he proposes a fund for Central American economic integration, to be made available through the Central American Bank for Economic Integration, to which the United States would make an immediate substantial initial contribution, to assist in carrying out regional development projects in accordance with various sectoral plans now being developed by the regional organizations.

For the longer term, he also declares that as soon as the Central American Republics have formulated an over-all regional development plan, and as soon as this plan has been evaluated favorably in accordance with the procedures established in the Charter of Punta del Este, the United States will enlarge and expand its participation in the fund and will work with the Central American countries in obtaining other Free

World resources so that the agreed plan can be effectively implemented.

The Presidents have discussed the fundamental importance to economic development of a vigorous and freely-competitive private sector, and declare their intention of taking the necessary steps to encourage private investment which is prepared to accept the normal responsibilities compatible with the development of a modern economy. These measures include the establishment of regional trade and promotion offices for the specific purpose of attracting private foreign investment. They also agree that development banks or corporations should be established in each country as soon as possible to provide credit on reasonable terms for the growth of private industry, the President of the United States offering financial assistance to their operation.

Concurrently they agree that economic and social conditions should be created to assure labor of an improved living standard through a better distribution of national income. Furthermore they agree to encourage and support free democratic labor organizations as a means of contributing toward greater worker participation in the common effort on behalf of the general welfare.

The Presidents also agree that opportunities should be given to the people of Central America to build and purchase their homes. There exist in Central America national savings and loan institutions which have been assisted under the Alliance for Progress, and others are about to be created. In order to give further support for these national efforts, the Presidents of Central America suggest that a regional home loan department, which would be a secondary source of home mortgage funds, should be created as a division within the Central American Bank for Economic Integration and the President of the United States agrees to offer technical and financial assistance to it.

The Isthmian Presidents indicate that Central American institutions should be strengthened as much as possible to enable them to play a major role in training the personnel who will be needed to put into effect the plans for integration of the Isthmus. A large part of the responsibility for training will

devolve on the Superior Council of Central American Universities (CSUCA). Recognizing, moreover, that trained manpower at all levels is needed for economic development, they agree to the proposal of the President of the United States to establish a multi-million dollar scholarship fund for vocational training in agriculture and in industry for young people of outstanding ability who can not afford the normal expenses of such training, to which the United States will offer substantial financial assistance.

The Presidents note the primary role of coffee in the economies of Central America and the importance of the International Coffee Agreement for the achievement of stable and remunerative prices.

They reiterate the intention of their governments to fully support the agreement so that it will serve as an effective instrument to improve the earnings of exporting countries from coffee and to promote their economic development.

Other primary commodity problems exist and the Isthmian Presidents will hand to President Kennedy studies on these problems.

President Kennedy agrees he will have them reviewed immediately on his return to Washington.

The Presidents, notwithstanding the fact that present conditions are favorable to undertake a solution of the economic and social problems of the Isthmus through joint action of the countries of the area, believe that all of them are faced with an externally provoked political problem, which by its very nature can imperil the exercise of representative democracy and the normal development of the plans to which their respective governments are engaged to attain as rapidly as possible the highest levels of economic and social justice and to bring to full realization the plans for Central American integration. Consequently, the Presidents declare that in order to carry out their programs for social and economic betterment, it is essential to reinforce the measures to meet subversive aggression originating in the focal points of Communist agitation which Soviet imperialism may maintain in Cuba or in any other place in America.

The Presidents note that the Council of the Organization of American States is actively engaged in maintaining vigilance

over the continued intervention of Sino-Soviet powers in this Hemisphere as requested by the Eighth Meeting of Consultation of Foreign Ministers(5). They express special interest in early completion by the Council of the OAS of the studies on Castro-Communist subversion in the Hemisphere, and particularly in early action by the Council on recommendations to the governments for counteracting those activities in these areas.

The Presidents agree that Ministers of Government of the seven countries should meet as soon as possible to develop and put into immediate effect common measures to restrict the movement of their nationals to and from Cuba, and the flow of material, propaganda and funds from that country.

This meeting will take action, among other things, to secure stricter travel and passport controls, including appropriate limitations in passports and other travel documents on travel to Cuba. Cooperative arrangements among not only the countries meeting here but also among all OAS members will have to be sought to restrict more effectively not only these movements of people for subversive purposes but also to prevent in so far as possible the introduction of money, propaganda, materials, and arms, arrangements for additional sea and air surveillance and interception within territorial waters will be worked out with special cooperation from the United States.

In addition to these measures, a more rapid and complete exchange of intelligence information on the movement of people, propaganda, money and arms between Cuba and our countries is to be developed by the Meeting of Ministers.

The Presidents voice their deep sympathy for the people of Cuba, and reaffirm their conviction that Cuba soon will join the family of free nations. The Presidents recall how, in 1959, the Cuban people were fired with the hope of a purely Cuban revolution that was to bring them freedom and social justice ; honest government and free elections ; fair sharing of goods ; opportunities for all ; more schools and jobs, better health and housing, and constructive land reform not collectivization of the land. In sum, a progressive republic which, in the words of Martí, would be "*con todos y para todos*". The Presidents declare that they have no doubt that the genuine

(5) Vol. 166, page 890.

Cuban revolution will live again, and its betrayers will fall into the shadows of history, and the martyred people of the oppressed isle of the Caribbean will be free from foreign Communist domination, free to choose for themselves the kind of government they wish to have, and free to join their brothers of the Hemisphere in the common undertaking to secure for each individual the liberty, dignity, and well-being which are the objectives of all free societies.

Finally the Presidents solemnly reaffirm their adherence to the principles established by the Treaty of Reciprocal Assistance of Rio de Janeiro([6]), the Charter of the OAS([7]), in the Act of Bogotá([3]) and in the Charter of Punta del Este([4]).

[Note. An Agreement on the Establishment and Operation of the Central American Defence Council was concluded at Guatemala City on 14th December, 1963, and entered into force on 18th May, 1964. (United Nations Treaty Series, Vol. 507, page 154.)]

([6]) Vol. 149, page 102.
([7]) Vol. 152, page 51.
([3]) Vol. 164, page 637.
([4]) Vol. 166, page 414.

JOINT STATEMENT on the talks between the Soviet Prime Minister, Mr. Khrushchev, and the Prime Minister of Cuba, Señor Fidel Castro.—Moscow, 23rd May, 1963([1])

(Extract)

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Views were exchanged in the course of the meetings and talks between Comrades Nikita Khrushchev and Fidel Castro on the further development of co-operation between the Soviet Union and Cuba and the situation in the area of the Caribbean Sea.

The two sides note that the construction of the new Cuba is being carried out in difficult and complex conditions. From the very first days of the existence of the revolutionary Cuban state, the reactionary circles of the United States have done everything to wipe out the gains of the Cuban people and to impose the yoke of imperialist exploitation on it once again.

([1]) *Soviet News* (Washington), 27th May, 1963.

Flagrantly flouting the United Nations Charter and the generally acknowledged standards of international law, the United States is trying to interfere in the domestic affairs of the Cuban Republic, organizing and guiding subversive activities against the new social and state system in Cuba, and sending armed bands of counter-revolutionary riff-raff to the Island of Freedom.

The United States is promoting a policy of economic aggression against Cuba and is exerting unprecedented pressure on its allies in military blocs, and on other countries, to try to make them follow their policy.

The United States of America would like to isolate the Cuban Republic politically, especially from the peoples of the Latin American countries. For this purpose, they are using the Organization of American States, basing themselves there on representatives of dictatorial military régimes.

Freedom-loving Cuba, however, did not flinch either before political blackmail and economic pressure, or before direct armed intervention. In April, 1961, at Playa Giron, the armed forces of the Cuban Republic routed the army of mercenaries which was equipped with American military material and was trained in military camps on the territory of the United States and its henchmen.

Revolutionary Cuba carried the banner of freedom and independence high in the grim days of October, 1962,(2) when having prepared a new armed intervention against the Cuban people, the United States, by its aggressive actions, strained the situation in the area of the Caribbean Sea to the limit, as a result of which an international crisis emerged and the world was placed on the brink of a nuclear-missile world war.

At that tense moment, the leaders of the Revolutionary Government of the Cuban Republic, led by Fidel Castro, and the whole Cuban people displayed unbending determination to uphold the gains of their revolution, and the honour and freedom of Cuba.

True to their heroic traditions, the Cuban people rose to the defence of their country, ready to fight to the last man against the foreign interventionists.

(2) *See* Vol. 166, pages 956, 959. 984, 1035, 1036, 1039 and 1041.

The firm stand of the Soviet Union and the other socialist countries in the cause of defending revolutionary Cuba, the restrained and sober evaluation by the responsible statesmen of the Soviet Union and Cuba of the situation that resulted, and the support for Cuba from all peace-loving states, averted thermo-nuclear war. The immediate danger of an armed attack on Cuba was removed.

Today, revolutionary Cuba is an example of unbending courage and staunchness in the struggle for independence, and for the right to create a new life without exploiters.

The two sides note that, although the immediate danger of military intervention in Cuba has been removed, the tension in the area of the Caribbean Sea still remains.

This situation could be normalized on the basis of the implementation of the five points advanced by the Prime Minister of the Revolutionary Government of Cuba, Fidel Castro, which include the ending of all measures of economic pressure ; the ending of all subversive activities ; the ending of attacks from bases situated in the United States and Puerto Rico ; the ending of all intrusions by military planes and ships of the United States into the air space and territorial waters of Cuba ; and the removal of the United States naval base at Guantánamo from Cuban territory.

The Soviet government emphatically supports these principles, because they are in full accord with the United Nations Charter and reflect the efforts of the Revolutionary Government of Cuba to find a peaceful solution to the outstanding issues that create tension in that part of the world.

The government of the Soviet Union and the government of Cuba proceed from the premise that revolutionary Cuba does not threaten anyone.

The road of development and social change which has been chosen by the Cuban people, is its domestic affair, and no one has the right to interfere in its affairs.

Both governments resolutely state their adherence to the principle of non-interference of states in the internal affairs of other countries, and solemnly confirm that the peace-loving principles of the United Nations, including the principle of

respect for the sovereignty of states, have their full support, because they meet the interests of peace and friendship between nations.

The Cuban side declares that the people of Cuba highly appreciate the moral and political support and help rendered by the Soviet Union. The statement of the U.S.S.R. government and its head, Comrade Nikita Khrushchev, the defence by the Soviet Union of Cuba's interests in the United Nations and in other international forums, the action of mass public organizations in the U.S.S.R. in support of Cuba, and the economic and military aid of the Soviet Union, played a very important role in the struggle of the Cuban people for its freedom and independence against the external threat from imperialism.

The Soviet Union has rendered, and is rendering, effective aid to Cuba in strengthening her defence potential. At the request of the Cuban government the Soviet Union helped Cuba to create a strong army, well trained, and equipped with modern military material, capable of administering a rebuff to any attempts at encroachment on the sovereignty and freedom of the Cuban state.

In the course of the talks between Comrades Nikita Khrushchev and Fidel Castro, it was confirmed by the Soviet side that, if an attack was made on Cuba in violation of the commitments undertaken by the President of the United States not to invade Cuba, the Soviet Union would fulfil its international duty to the fraternal Cuban people, and would render it the necessary aid for the defence of the freedom and independence of the Cuban republic, with all the means at its disposal.

The organizers of aggression should remember that an invasion of Cuba will confront mankind with a devastating nuclear rocket war.

The two sides considered questions connected with the implementation of the Soviet-Cuban agreements on trade and economic, technical, scientific and cultural co-operation, and noted with satisfaction that these agreements are being successfully implemented.

The Soviet Union is constantly increasing the purchase of goods which constitute Cuba's traditional exports, and, together with other socialist countries, is doing everything to satisfy the pressing requirements of Cuba in equipment and raw materials for her industry, and in goods to supply the country's population.

The Soviet Union is also rendering the necessary aid in transporting the goods purchased or sold by Cuba.

The two sides take note with satisfaction of the fact that economic co-operation between the U.S.S.R. and Cuba is acquiring a more and more extensive and all-around nature. The Soviet Union is rendering Cuba technical assistance in conducting geological prospecting, in expanding and reconstructing three re-smelting metallurgical works, in the construction of a big thermal power station, in the development of the nickel and chemical industries and commercial fishing, and the carrying out of priority irrigation and land improvement projects.

The construction of an engineering plant now under way with the help of the Soviet Union is of great importance.

The Soviet Union is rendering help to the Cuban Republic in creating national cadres, by training Cuban citizens in the U.S.S.R., and by setting up training centres in Cuba.

Co-operation between Soviet and Cuban organizations and institutions in the fields of culture, science, education, public health and sports is developing successfully.

Agreement was reached in the course of talks on measures for the further development of economic, trade and scientific and cultural links between the U.S.S.R. and the Cuban Republic.

Guided by the desire to help to consolidate the socialist economy of fraternal Cuba, and taking into consideration that in recent years raw sugar prices in the world market have risen considerably, the Soviet government, on its own initiative, proposed to change the existing agreement, and to increase the price of the Cuban raw sugar to be bought in 1963, so as to bring this price into line with the level of world prices.

The Soviet government proceeded from the fact that the production of sugar is one of the staple branches of Cuba's

economy, and that an increase of sugar prices will play an effective part in consolidating the economic situation in Cuba.

This proposal by the Soviet government was accepted by the Cuban side.

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JOINT DECLARATION of Co-operation between France and the Federal Republic of Germany.—Paris, 22nd January, 1963(1)

Le général de Gaulle, président de la République française, et le Dr. Konrad Adenauer, chancelier de la République fédérale d'Allemagne.

A l'issue de la Conférence qui s'est tenue à Paris les 21 et 22 janvier 1963 et à laquelle ont assisté, du côté français, le Premier Ministre, le ministre des Affaires étrangères, le ministre des Armées et le minstre de l'Education nationale ; du côté allemand, le ministre des Affaires étrangères, le ministre de la Défense et le ministre de la Famille et de la Jeunesse.

Convaincus que la réconciliation du peuple allemand et du peuple français, mettant fin à une rivalité séculaire, constitue un événement historique qui transforme profondément les relations entre les deux peuples.

Conscients de la solidarité qui unit les deux peuples tant du point de vue de leur sécurité que du point de vue de leur développement économique et culturel.

Constatant en particulier que la jeunesse a pris conscience de cette solidarité et se trouve appelée à jouer un rôle determinant dans la consolidation de l'amitié franco-allemande.

Reconnaissant qu'un renforcement de la coopération entre les deux pays constitue une étape indispensable sur la voie de l'Europe unie, qui est le but des deux peuples.

Ont donné leur accord à l'organisation et aux principes de la coopération entre les deux Etats tels qu'ils sont repris dans le traité signé en date de ce jour.

(1) *L'Année Politique*, 1963, page 404.

Fait à Paris, le 22 janvier 1963 en double exemplaire en langue française et en langue allemande.

Le Président de la République Française
C. DE GAULLE

Le Chancelier fédéral de la République fédéral d'Allemagne
ADENAUER

TREATY of Co-operation between France and the Federal Republic of Germany.—Paris, 22nd January, 1963(1)

[Ratifications exchanged at Bonn on 2nd July, 1963.]

A la suite de la déclaration commune du Président de la République française et du Chancelier de la République fédérale d'Allemagne, en date du 22 janvier 1963(2), sur l'organisation et les principes de la coopération entre les deux Etats, les dispositions suivantes ont été agréées:

I.—ORGANISATION

1) Les chefs d'Etat et de gouvernement donneront en tant que de besoin les directives nécessaires et suivront régulièrement la mise en œuvre du programme fixé ci-après. Ils se réuniront à cet effet chaque fois que cela sera nécessaire et, en principe, au moins deux fois par an.

2) Les ministres des Affaires étrangères veilleront à l'exécution du programme dans son ensemble. Ils re réuniront au moins tous les trois mois. Sans préjudice des contacts normalement établis par la voie des ambassades, les hauts fonctionnaires des deux ministères des Affaires étrangères, chargés respectivement des affaires politiques, économiques et culturelles, se rencontreront chaque mois alternativement à Paris et à Bonn pour faire le point des problèmes en cours et préparer la réunion des ministres. D'autre part, les missions diplomatiques et les

(1) *L'Année Politique*, 1963, page 404.
(2) *See* immediately preceding document.

consulats des deux pays, ainsi que leurs représentations permanentes auprès des organisations internationales prendront tous les contacts nécessaires sur les problèmes d'intérêt commun.

3) Des rencontres régulières auront lieu entre autorités responsables des deux pays dans les domaines de la défense, de l'éducation et de la jeunesse. Elles n'affecteront en rien le fonctionnement des organismes déjà existants—commission culturelle franco-allemande, Groupe permanent d'état-major—dont les activités seront au contraire développées. Les ministres des Affaires étrangères seront représentés à ces rencontres pour assurer la coordination d'ensemble de la coopération :

a) Les ministres des Armées ou de la Défense se réuniront au moins une fois tous les trois mois. De même, le ministre français de l'Education nationale rencontrera, suivant le même rythme, la personnalité qui sera désignée du côté allemand pour suivre le programme de coopération sur le plan culturel ;

b) Les chefs d'état-major des deux pays se réuniront au moins une fois tous les deux mois ; en cas d'empêchement, ils seront remplacés par leurs représentants responsables ;

c) Le haut commissaire français à la Jeunesse et aux Sports rencontrera, au moins une fois tous les deux mois, le ministre fédéral de la Famille et de la Jeunesse ou son représentant.

4) Dans chacun des deux pays, une Commission interministérielle sera chargée de suivre les problèmes de la coopération. Elle sera présidée par un haut fonctionnaire des Affaires étrangères et comprendra des représentants de toutes les administrations intéressées. Son rôle sera de coordonner l'action des ministères intéressés et de faire périodiquement rapport à son gouvernement sur l'état de la coopération franco-allemande. Ella aura également pour tâche de présenter toutes suggestions utiles en vue de l'exécution du programme de coopération et de son extension éventuelle à de nouveaux domaines.

II.—PROGRAMME

A. AFFAIRES ETRANGERES

1) Les deux gouvernements se consulteront, avant toute décision, sur toutes les questions importantes de politique étrangère, et en premier lieu sur les questions d'intérêt commun,

en vue de parvenir, autant que possible, à une position analogue. Cette consultation portera entre autres sur les sujets suivants:

—problèmes relatifs aux communautés européennes et à la coopération politique européenne ;

—relations Est-Ouest, à la fois sur le plan politique et sur le plan économique ;

—affaires traitées au sein de l'Organisation du Traité de l'Atlantique-Nord et des diverses organisations internationales auxquelles les deux gouvernements sont intéressés, notamment le Conseil de l'Europe, l'Union de l'Europe occidentale, l'Organisation de Coopération et de Développement économique, les Nations Unies et leurs institutions spécialisées.

2) La collaboration, déjà établie dans le domaine de l'information, sera poursuivie et développée entre les services intéressés à Paris et à Bonn et entre les missions dans les pays tiers.

3) En ce qui concerne l'aide aux pays en voie de développement, les deux gouvernements confronteront systématiquement leurs programmes en vue de maintenir une étroite coordination. Ils étudieront la possibilité d'entreprendre des réalisations en commun. Plusieurs départements ministériels étant compétents pour ces questions, du côté français comme du côté allemand, il appartiendra aux deux ministères des Affaires étrangères de déterminer ensemble les bases pratiques de cette collaboration.

4) Les deux gouvernements étudieront en commun les moyens de renforcer leur coopération dans d'autres secteurs importants de la politique économique, tels que la politique agricole et forestière, la politique énergétique, les problèmes de communications et de transports et le développement industriel, dans le cadre du Marché Commun, ainsi que la politique des crédits à l'exportation.

B. DÉFENSE

I.—Les objectifs poursuivis dans ce domaine seront les suivants:

1) Sur le plan de la stratégie et de la tactique, les autorités compétentes des deux pays s'attacheront à rapprocher leurs doctrines en vue d'aboutir à des conceptions communes. Des instituts franco-allemands de recherche opérationnelle seront créés.

2) Les échanges de personnel entre les armées seront multipliés ; ils concerneront en particulier les professeurs et les élèves des écoles d'état-major ; ils pourront comporter des détachements temporaires d'unités entières. Afin de faciliter ces échanges, un effort sera fait de part et d'autre pour l'enseignement pratique des langues chez les stagiaires.

3) En matière d'armements, les deux gouvernements s'efforceront d'organiser un travail en commun dès le stade de l'élaboration des projets d'armements appropriés et de la préparation des plans de financement.

A cette fin, des Commissions mixtes étudieront les recherches en cours sur ces projets dans les deux pays et procéderont à leur examen comparé. Elles soumettront des propositions aux ministres qui les examineront lors de leurs rencontres trimestrielles et donneront les directives d'application nécessaires.

II.—Les gouvernements mettront à l'étude les conditions dans lesquelles une collaboration franco-allemande pourra être établie dans le domaine de la défense civile.

C. ÉDUCATION ET JEUNESSE

En matière d'éducation et de jeunesse, les propositions contenues dans les memoranda français et allemand des 19 septembre et 8 novembre 1962 seront mises à l'étude, selon les procédures indiquées plus haut.

1. Dans le domaine de l'éducation, l'effort portera principalement sur les points suivants :

a) *Enseignement des langues.*—Les deux gouvernements reconnaissent l'importance essentielle que revêt pour la coopération franco-allemande la connaissance dans chacun des deux pays de la langue de l'autre. Ils s'efforceront, à cette fin, de prendre des mesures concrètes en vue d'accroître le nombre des élèves allemands apprenant la langue française et celui des élèves français apprenant la langue allemande.

Le gouvernement fédéral examinera, avec les gouvernements des Länder, compétents en la matière, comment il est possible d'introduire une réglementation qui permette d'atteindre cet objectif.

Dans tous les établissements d'enseignement supérieur, il conviendra d'organiser un enseignement pratique de la langue française en Allemagne et de la langue allemande en France, qui sera ouvert à tous les étudiants.

b) *Problème des équivalences.*—Les autorités compétentes des deux pays seront invitées à accélérer l'adoption des dispositions concernant l'équivalence des périodes de scolarité, des examens, des titres et diplômes universitaires.

c) *Coopération en matière de recherche scientifique.*—Les organismes de recherches et les instituts scientifiques développeront leurs contacts en commençant par une information réciproque plus poussée ; des programmes de recherches concertées seront établis dans les disciplines où cela se révélera possible.

2. Toutes les possibilités seront offertes aux jeunes des deux pays pour resserrer les liens qui les unissent et pour renforcer leur compréhension mutuelle. Les échanges collectifs seront en particulier multipliés.

Un organisme destiné à développer ces possibilités et à promouvoir les échanges sera créé par les deux pays avec, à sa tête, un conseil d'administration autonome. Cet organisme disposera d'un fonds commun franco-allemand qui servira aux échanges entre les deux pays d'écoliers, d'étudiants, de jeunes artisans et de jeunes travailleurs.

III.—DISPOSITIONS FINALES

1) Les directives nécessaires seront données dans chaque pays pour la mise en œuvre immédiate de ce qui précède. Les ministres des Affaires étrangères feront le point des réalisations acquises à chacune de leurs rencontres.

2) Les deux gouvernements tiendront les gouvernements des autres Etats membres des communautés européenes informés du developpement de la coopération franco-allemande.

3) A l'exception des clauses concernant la défense, le présent traité s'appliquera également au Land de Berlin, sauf déclaration contraire faite par le gouvernement de la République fédérale d'Allemagne au gouvernement de la République française dans les trois mois qui suivront l'entrée en vigueur du présent traité.

4) Les deux gouvernements pourront apporter les aménagements qui se révéleraient désirables pour la mise en application du présent traité.

5) Le présent traité entrera en vigueur[3] dès que chacun des deux gouvernements aura fait savoir à l'autre que, sur le plan interne, les conditions nécessaires à sa mise en œuvre ont été remplies.

Fait à Paris, le 22 janvier 1963, en double exemplaire en langue française et en langue allemande, les deux textes faisant également foi.

Le Président de la République française
C. DE GAULLE

Le Premier Ministre français
POMPIDOU

Le Ministre français
des Affaires étrangères
M. COUVE DE MURVILLE

Le Chancelier fédéral
de la Rèpublique fédérale d'Allemagne
ADENAUER

Le ministre fédéral des Affaires étrangères
de la République fédérale d'Allemagne.
SCHRÖDER

(3) 2nd July, 1963.

JOINT COMMUNIQUE on the talks between President de Gaulle and Chancellor Adenauer.—Bonn, 5th July, 1963[1]

A la suite de l'entrée en vigueur du traité du 22 janvier 1963[2] sur la coopération franco-allemande, le Président de la République française et le Chancelier de la République fédérale ont eu, à Bonn, les 4 et 5 juillet 1963, la première des consultations régulières prévues audit accord. Le général de Gaulle a eu, d'autre part, un entretien, le 5 juillet, avec M. Luebke, président de la République fédérale d'Allemagne.

(1) *L'Année Politique* (Paris), 1963, page 410.
(2) Page 306.

Le Président de la République française était accompagné de M. Pompidou, premier ministre, de M. Couve de Murville, ministre des Affaires étrangères, de M. Messmer, ministre des Armées, de M. Giscard d'Estaing, ministre des Finances, de M. Pisani, ministre de l'Agriculture, de M. Fouchet, ministre de l'Education nationale, et de M. Herzog, secrétaire d'Etat à la Jeunesse et aux Sports.

Du côté allemand, ont pris part aux entretiens, M. Schroeder, ministre fédéral des Affaires étrangères, le Professeur Erhard, vice-chancelier et ministre fédéral de l'Economie, M. Dahlgruen, ministre fédéral des Finances, M. Schwarz, ministre fédéral de l'Alimentation, de l'Agriculture et des Forêts, M. von Hassel, ministre fédéral de la Défense, M. Heck, ministre fédéral de la Famille et de la Jeunesse, et M. Kiesinger, premier ministre de Bade-Wurtemberg, commissaire de la République fédéral pour la coopération culturelle dans le cadre du traité franco-allemand.

Dans une première réunion, le général de Gaulle et le chancelier Adenauer ont procédé à l'examen de la situation politique général. Au cours de trois réunions ultérieures, ils ont examiné, avec la participation de leurs ministres, les diverses questions qui se posent actuellement dans le domaine de la coopération.

Les questions économiques, abordées sous l'angle du Marché Commun, ont donné lieu à des échanges de vues approfondis. Ceux-ci portent avant tout sur l'agriculture et sur la négociation qui doit s'engager dans le cadre de l'accord général sur les tarifs douaniers et le commerce au mois de mai 1964.

Les deux gouvernements ont constaté que les décisions arrêtées le 9 mai dernier à Bruxelles, fixant un programme de travail de la Communauté économique européenne pour les mois à venir, doivent permettre d'accomplir, à brève échéance, des progrès considérables dans les divers domaines d'activités prévus.

Ainsi en ce qui concerne l'élaboration de la politique agricole commune, la mise en vigueur, pendant le premier trimestre 1964, des règlements visant la viande de bœuf, les produits laitiers, et le riz est apparue aux deux gouvernements comme un objectif essentiel.

Quant aux difficiles problèmes soulevés par la définition d'une politique européenne des prix agricoles, et notamment des céréales, leur complexité a conduit les deux gouvernements à s'entendre pour proposer, dans le cadre de la C.E.E., une méthode de travail comportant des recherches et études destinées à isoler les difficultés et à dégager des solutions adéquates.

La négociation commerciale menée dans le cadre de l'accord général sur les tarifs douaniers et le commerce est apparue comme fournissant une occasion propice de libérer davantage les échanges internationaux et de faciliter les rapports entre les groupements économiques régionaux. Aussi les deux gouvernements ont-ils marqué leur intention de continuer à orienter leur action au sein de la C.E.E. en vue d'assurer le succès de la négociation. La participation de tous les gouvernements intéressés, une juste réciprocité des avantages consentis de part et d'autre, la réduction des tarifs en même temps que celle des disparités existantes et le maintien, aux frontières de la C.E.E. d'un tarif commun extérieur abaissé mais cohérent constituent des objectifs communs aux deux gouvernements.

Dans le domaine militaire, les questions stratégiques et d'armement en cours ont été passées en revue et des décisions ont été prises afin de faire progresser un certain nombre de projets. L'échange d'unités entières des forces des deux Etats commencera dans un proche avenir. Le ministre fédéral de la Défense et le ministre des Armées ont signé un accord sur l'étude en commun d'un avion à décollage vertical.

Pour ce qui concerne l'éducation, les recommandations faites récemment à Hambourg par la Commission culturelle mixte franco-allemande ont été examinées par MM. Kiesinger et Fouchet et approuvées ensuite en séance plénière. Ces recommandations ont trait à l'extension de l'enseignement des langues des deux pays dans les établissements secondaires ainsi que dans les universités ou écoles supérieures. Elles portent aussi sur les équivalences de scolarité et de diplômes universitaires ainsi que sur la coopération dans le domaine de la recherche scientifique. Il a été réaffirmé, de part et d'autre, la volonté commune de favoriser le développement de l'enseignement du français en Allemagne et de l'allemand en France, condition nécessaire d'une meilleure connaissance réciproque.

Les ministres des Affaires étrangères des deux pays ont, d'autre part, procédé à la signature d'un accord portant création d'un office franco-allemand de la Jeunesse. Cet accord a pour but d'encourager des échanges entre jeunes Allemands et jeunes Français. A cet effet, l'office prévu sera administré par un conseil mixte franco-allemand. Des crédits importants versés à parts égales par les deux gouvernements en permettront le bon fonctionnement.

Les pourparlers ont fait ressortir la communauté de vues qui existe du côté français comme du côté allemand sur les méthodes à observer pour donner au traité du 22 janvier sa pleine signification. Ils se sont déroulés dans l'esprit prévu dans cet accord en ce qui concerne notamment la recherche de l'unité européenne.

FEDERAL LAW to amend the German Nationality Law of 1913.—Bonn, 23rd December, 1963[1]

The new Federal law has added a second sentence to Section 4, paragraph 1 of the German Nationality Law of 1913[2] as follows :

" The legitimate child of a German woman acquires by birth the nationality of his mother if he would otherwise be stateless."

Article 2 enacts that the legitimate child of a German woman born in the period April 1, 1953, to January 1, 1964, has acquired by birth the nationality of his mother if he otherwise had been stateless, unless he expressly waives German nationality. Such waiver has to be declared within one year after the entry into force of this law.

To procedural questions concerning this waiver, the provisions of Sections 15 and 17-23 of the Federal law to regulate certain nationality questions of February 22, 1955, shall apply *mutatis mutandis.*

(1) Published in the *Gesetzblatt*, No. 68, 31st December, 1963. The Law entered into force on 1st January, 1964, and is applicable also to Berlin.
(2) Vol. 108, page 473.

JOINT COMMUNIQUE on the talks between President Kennedy and Chancellor Adenauer.—Bonn, 24th June, 1963[1]

The President of the United States of America, John F. Kennedy, visited Bonn on June 23 and 24 and held talks with leaders of the Federal Republic of Germany. He had a private visit with Federal President Lübke, and on June 24 met privately with Chancellor Adenauer for detailed discussions on the general international situation. The President and the Chancellor were later joined by Secretary of State Rusk, Vice-Chancellor Erhard and the Federal Minister of Foreign Affairs Schröder, as well as other officials and advisers of the two Governments.

President Kennedy and Chancellor Adenauer discussed European integration, relations between the European Community and other nations of Europe, progress toward the achievement of the Atlantic partnership, and the problems of Berlin and German reunification. In this connection, they had an exchange of views on Western policy toward the Soviet Union and the countries of Eastern Europe.

The President and the Chancellor were in agreement that the two Governments would continue their close collaboration in the task of developing genuine unity among the nations of Europe and fostering an integrated European Community in close partnership with the United States. On questions of economics and trade, both in their multilateral and bilateral aspects, the President and the Chancellor reaffirmed their agreement on basic aims; among these matters they stressed in particular the need for stronger participation in world trade by the developing countries. They agreed that the strength of the Free World rests in common policies and common aims pursued jointly by all the nations dedicated to establishing peace in freedom.

The Federal Government shares the view of the United States and other allied powers that controlled disarmament and agreement on the cessation of atomic weapons tests would constitute an important step toward the avoidance of a dangerous armaments race.

(1) U.S. Department of State *Bulletin*, 22nd July, 1963, page 117.

The exchange of views confirmed full agreement of the principle that the North Atlantic Alliance continues to be a major instrument for the maintenance of freedom, and the President and the Chancellor agreed that every effort will be made to strengthen common defense planning and joint operation of N.A.T.O. defense forces.

The President and the Chancellor discussed the proposed multilateral seaborne M.R.B.M. [medium-range ballistic missile] force. The multilateral organisation is considered a good instrument for serving all members of the Alliance in combining their defense efforts. They reaffirmed their agreement to use their best efforts to bring such a force into being. They also agreed that discussions about the principal questions involved in the establishment of such a force should be pursued with other interested Governments.

They reaffirmed the commitment of their two Governments to the right of self-determination, as embodied in the United Nations Charter, and to the achievement of German reunification in peace and freedom. They agreed that the freedom of Berlin will be preserved by every necessary means, and that the two Governments would seek every opportunity to counter the inhuman effects of the Wall. They also agreed that the two Governments would continue to seek to reduce tension through international understanding.

Peace and freedom are prerequisites for overcoming the obstacles that still prevent the greater part of mankind from enjoying full participation in social and economic development. The President and the Chancellor affirmed that the Governments of the United States and the Federal Republic of Germany are determined to assume their part in these tasks in the context of the free world's strategy of peace.

The discussions took place in a spirit of frankness and cordiality. These meetings have shown full agreement between the two Governments in assessing the international situation, and have once again demonstrated the close and friendly relations which exist between the two countries.

JOINT COMMUNIQUE on the talks between President Johnson and Chancellor Erhard.—Texas, 29th December, 1963(1)

President Johnson and Chancellor Erhard have held a series of frank and far-ranging talks at the President's ranch in Texas in the last two days. A number of their discussions were private ; in other talks they were joined by Secretary Rusk, Foreign Minister Schroeder, and other advisers.

The Chancellor told the President of the deep sorrow and sense of personal loss which the German people have felt over the death of President Kennedy. The President expressed deep appreciation for himself and for the American people for this expression of sympathy. He paid a tribute to the late President [Theodor] Heuss, the distinguished first President of the Federal Republic.

The President and the Chancellor both emphasized the importance which they attach to this opportunity to meet early in their Administrations. Their extensive discussions serve to confirm the close understanding and high measure of agreement between the two governments on major international issues. These conversations have made it emphatically clear that there will be continuity in the policies of the United States and the Federal Republic of Germany as they work toward common objectives.

The President and the Chancellor had an extended discussion of the current state of East-West relations. They were determined that the basic rights and interests of the free nations must be defended, and in particular they agreed that there should be no arrangement that would serve to perpetuate the *status quo* of a divided Germany, one part of which is deprived of elementary rights and liberties. On this basis, the President and the Chancellor agreed that it is highly important to continue to explore all opportunities for the improvement of East-West relations, the easing of tensions, and the enlargement of the prospects of a peace that can be stable because it is just. They continue to hope that this effort of the Western powers will meet a constructive response from the Soviet Union.

(1) U.S. Department of State *Bulletin*, 20 January, 1964, page 74.

The President and the Chancellor agreed that the central requirement in the policy of the West must be to increase the strength and effectiveness of the emerging Atlantic partnership. They reaffirmed their conviction that an increasingly unified Europe is vital to this effort.

The Chancellor stated, and the President agreed, that efforts to achieve such unity must always respect the traditionally open trading relationship Europe has enjoyed with the United States and the rest of the Free World. The President and the Chancellor agreed that the forthcoming trade negotiations should be guided by the double objective of enlarged international trade and increasing economic integration in Europe. They agreed that agricultural as well as industrial products must be included and that the negotiations should proceed without delay.

The President reviewed the measures being taken to stabilize the United States' international payments position, and the Chancellor reaffirmed his cooperative support for this program.

The President and the Chancellor emphasized the importance of extending effective aid to the developing nations. The Chancellor described the progress being made in the work of the German Development Aid Service (German Peace Corps), and the President responded by describing the expansion of the American Peace Corps and the wide public support which it has won. The President and the Chancellor agreed that these two undertakings would gain from close cooperation, and as a part of this process of cooperation, the President has requested Mr. Sargent Shriver to make an early visit to Bonn to take part with German colleagues in discussions of the work of the two programs.

The President and the Chancellor reaffirmed their shared commitment to the peaceful reunification of the German people in freedom, by self-determination. The Chancellor stressed the desire of the Federal Republic to examine all paths that might lead to this goal. The Chancellor also stated that the Federal Republic of Germany would continue its efforts to improve its relations with the nations of Eastern Europe.

The President renewed the commitment of the Government and people of the United States to maintain the present six-division level of combat forces in Germany, as long as they are

needed. The Chancellor welcomed the President's further assurance that the United States would continue to meet its commitments in Berlin. The President expressed appreciation for the cooperative arrangement whereby United States dollar expenditures for American military forces in Germany are offset by German purchases of military equipment in the United States. It was agreed that this arrangement should continue.

The President and the Chancellor agreed on the need for all members of NATO to cooperate closely in strengthening the ability of the Alliance to meet all challenges. In particular, they expressed their conviction that the proposal for a multilateral nuclear force now being discussed by several NATO partners would provide a new means of strengthening Western defense.

The President and the Chancellor agreed that in all these matters there will be great value to both their governments in the maintenance of ever closer and more intimate exchanges of views and of information. Where common interest is so great, both sides can only gain from the closest cooperation and from the prompt and continuous exchange of views by whatever means are most appropriate in each case. In addition, the President and the Chancellor agreed that they themselves would establish and maintain the closest personal communication.

Finally, the President and the Chancellor reaffirmed their commitment not simply to close German-American cooperation, but to the wider interest of both countries in the growing partnership of free nations—of the Atlantic and of the world.

LAW No. 54 amending the Supplementary Law for the Control and Administration of the Assets of Jews deprived of Iraqi Nationality.—Baghdad, 19th June, 1963(1)

(Translation)

In the Name of the People,

The Presidency of the Republic,

In pursuance of the Constitutional Law of the National Council of the Revolutionary Command, on the proposal of the Minister of the Interior, the approval of the Council of Ministers, and confirmation of the National Council of the Revolutionary Command, the following Law is confirmed.

ARTICLE 1

The following paragraph is added to Article 5 of the Law supplemental to the Law for the Control and Administration of the Assets of Jews who have renounced their Iraqi Nationality No. 12 of 1951(2), and is considered as paragraph (*c*) thereof:

(*c*) An Iraqi Jew who left Iraq during the period from the 20th of January, 1960, and up to the end of the 30th of March, 1963, must return to Iraq within a period of 6 months from the date of coming into force of this Law. If he did not return after the termination of this period, the Council of Ministers may, on the proposal of the Minister, decide to deprive him of his nationality and his assets will be disposed of in accordance with Law No. 5 of 1951(3) and the Regulations issued or to be issued thereunder.

ARTICLE 2

The following Article is added to the Law as Article 8 thereof, the serial numbers of articles following it being renumbered accordingly:—

Article 8. (i) Every Iraqi Jew who acquired a foreign nationality from the date of coming into force of Law No. 5 of 1951(4) shall be deprived of his Iraqi nationality with effect

(1) Published in the Iraqi *Official Gazette* No. 821 of 25th June, 1963.
(2) Vol. 159, page 695.
(3) Vol. 159, page 693.
(4) 22 March, 1951.

from the date on which he acquired the foreign nationality, his assets shall be frozen, and the provisions of the Law in question and the Regulations issued or to be issued thereunder shall be applied to him. Previous disposals (sales) effected outside the Tapu Department shall not be considered legal.

(ii) The provisions of paragraph (i) shall apply to an Iraqi Jew who acquires a foreign nationality after the coming into force of this Law.

ARTICLE 3

This Law shall come into force from the date of its publication in the Official Gazette(5).

ARTICLE 4

The Ministers are charged with the execution of this Law.

Done at Baghdad this 26th day of Muharram, 1383, and the 19th day of June, 1963.

ABDUL SALAM MUHAMMAD 'ARIF
Staff Major-General,
President of the Republic

All Ministers

(5) 25 June, 1963.

MANIFESTO on the creation of a new federal United Arab Republic, with Appendices.—Cairo, 17th April, 1963(1)

In the name of the Merciful Compassionate God,

In the name of the Almighty God.

The three delegations representing the United Arab Republic, Syria and Iraq met in Cairo and in response to the will of the Arab people in the three regions and the great Arab fatherland, brotherly talks began between the three delegations on Saturday, April 6, and ended on Wednesday, April 17, 1963.

The delegations in all their discussions were inspired by faith that Arab unity was an inevitable aim deriving its principles from the oneness of language bearing culture and thought,

(1) *Middle East Forum*, June and July, 1963. This official English text appeared in the *Egyptian Gazette* of 17th and 18th April.

common history-making sentiment and conscience, common national struggle deciding and defining destiny, common spiritual values stemming from Divine messages and common social and economic understanding based on liberty and socialism.

The delegations were guided by the will of the masses of the Arab peoples, demanding unity, struggling to attain it and sacrificing in its defence, and realising that the hard core of the union is to be formed by the unification of the parts of the homeland which have acquired their freedom and independence and in which nationalist, progressive governments have emerged with the determination to destroy the alliance of feudalism, capital, reaction and imperialism, and to liberate the working forces of the people in order to join them in alliance and to express their genuine will.

The revolution of July 23 was a historical turning point at which the Arab people in Egypt, discovering their identity and regaining their free will, set out on their quest for freedom, Arabism and union. The revolution of the 14th of Ramadan (February 8) illuminated the true Arab face of Iraq, and the path leading it to the horizons of unity, envisaged by the zealous elements of the July 14 revolution. The revolution of March 8 put Syria back into the line of the union destroyed by the setback of reactionary secession, having destroyed all the obstacles which the reactionaries and imperialism had determinedly put up in the path of union.

The three Revolutions thus met which affirmed again that unity is a revolutionary action deriving its conceptions from the people's faith, its power from their will, and its objectives from their aspirations for freedom and socialism.

Unity is a revolution—a revolution because it is popular, a revolution because it is progressive, and a revolution because it is a powerful tide in the current of civilisation.

Unity is especially a revolution because it is profoundly connected with the Palestine cause and with the national duty to liberate that country. It was the disaster of Palestine that revealed the conspiracy of the reactionary classes and exposed the treacheries of the hired regional parties and their denial of the people's objectives and aspirations. It was the disaster of Palestine that showed the weakness and backwardness of the

economic and social systems that prevailed in the country, released the revolutionary energies of our people and awakened the spirit of revolt against imperialism, injustice, poverty and underdevelopment. It was the disaster of Palestine that clearly indicated the path of salvation, the path of unity, freedom and socialism. This was kept in mind by the delegations during their talks. If unity is a sacred objective, it is also the instrument of the popular struggle and its means to achieve its major objectives of freedom and security in liberating all the parts of the Arab homeland and in establishing a society of sufficiency and justice, a society of socialism, in continuing the revolutionary tide without deviation or relapse and its extension to embrace the greater Arab homeland, and in contributing to the progress of human civilisation and consolidation of world peace.

It was unanimously agreed that unity between the three regions would be based, as required by the Arab people, on the principles of democracy and socialism, would be a real and strong unity which would consider the regional circumstances to consolidate the ties of unity on a basis of practical understanding, not ignore the reasons for partitioning and separation, and make the power of each region a power for the Federal State of the Arab Nation, and make the Federal State a power for each of its regions as well as for the whole Arab Nation.

In the name of the Arab people in Egypt, Syria and Iraq, the three delegations announce the will of this people to establish a federal unity on the following bases:

Coordination

1.—*In the field of national action*

A Charter has been drawn up for political action. It was agreed on by all the popular progressive and pro-union powers. This Charter which defines the principles, the goals and the social philosophy will be the basis of cooperation and unity between the three regions with a view to forming people's formations in the member regions so that the popular will comes into fulfilment through free and organised expression. All this will take place within the framework of a political front which will combine all such formations.

Unifying political leadership on the federal level so as to guarantee the coordination of the activities of people's formations and their unification, since the unity of political action

and people's struggle safeguards the production of unity, its consolidation and its growth.

2.—*Building the State*

Consolidating federal agencies guarantees their ability to plan, coordinate and execute and their effectiveness which is an expression of the seriousness of unity.

This may be realised through:

—Unifying the international identity and the foreign policy of the Federal State so that it may become one entity.

—Standing up to imperialism inside and outside the Arab Nation, supporting the people's freedom, and consolidating world peace, through the realisation of military unity capable of liberating the Arab Nation from the danger of Zionism and imperialism, realising its objective in security and stability and finding a nucleus for establishing justice, right and peace.

—Unifying the planning agencies to direct the potentialities of the Federal State to economic and social development, the best use of all potentialities and resources, for building a society of justice and sufficiency, that is to say, a socialist society.

This may be realised by stressing the importance of education, scientific research, culture and information to promote revolutionary awareness, and by using science for the service of society, introducing progressive conceptions and new values, and their extension to all of the Arab Nation.

The Federal State binds itself by basic principles showing it the path of evolution and development, defining a revolutionary progressive programme in the political, social and economic spheres and expressing the reality of the historic phase through which the Federal State is passing.

Thereupon, the delegations announce their full agreement that the Federal State, with its political, social and economic principles, its Constitution and its constitutional organisations, shall be in the following general picture showing the broad lines of the National Charter of Action and the Constitution of the Federal State.

The unity of aim and the unity of values and principles demand from all the unionist, socialist and democratic forces in each region of the Federal State the formation of a political front connected with a charter of democratic, socialist and

unionist action aiming at the unification of political action in the region and developing the revolutionary incentives in a bid to ensure a better life and raise the standard of its aspirations. These forces shall try to unify their efforts in one political organisation connected with the National Charter of Action and bound by the decisions taken by this front by a majority of votes to incarnate on this standard their unity of purpose and to be able to shoulder their responsibilities and carry out their obligations.

There will also be formed, on the Federal State level, one political leadership which will lead and unify the political action of the State within the framework of this Charter, provided that the various political fronts existing in the unified regions, or formations, would be bound by the decisions taken by the federal leadership through majority of votes.

This leadership will gradually plan a unified political formation which would lead the national political action in and outside the Federal State, and, meanwhile, work towards mobilising the powers of the masses so that they would impose their will in life and place their leadership in new spheres. This, however, does not mean dissolving the existing pro-union parties.

The political action does not mean leading the masses alone, but it also shall serve to reinforce the pillars of our society on the bases of democracy and socialism that stemmed from our actual life and became an expression of our future.

Democracy is a reaffirmation of the sovereignty of the people. It also means placing all the authority in the hands of the people with a view to realising the people's goals.

Socialism, on the other hand, is the truthful translation of the fact that unity is a progressive action aimed at the establishment of a society where sufficiency and justice, equal opportunities, and production prevail. Democracy means a political and socialist freedom which cannot be separated. Liberty cannot tackle tomorrow's problems without political and social freedom.

Political democracy cannot be achieved within the framework of reaction nor can it be attained within the framework of dictatorship of one class.

Therefore, the alliance of feudalism and capitalism must fall and be replaced by the democratic alliance between the active people's forces comprising farmers, workers, intellectuals,

soldiers and national capitalism, in view of the fact that this alliance is the legitimate alternative to the reactionary alliance and capable of putting sound democracy in the place of reactionary democracy.

Sovereignty in the UAR is for the people, and freedom, all freedom, for the people and no freedom for the enemies of the people.

The enemies of the people comprise the following elements:

(*a*) The politically isolated people in accordance with the laws to this effect.

(*b*) Everyone tried by the Revolution and convicted of being a secessionist, a conspirator or an exploiter.

(*c*) Everyone who has dealt or will deal in future with foreign political organisations thus becoming an agent of foreign powers.

(*d*) Everyone who has worked or works to impose the domination of the exploiting classes on society.

The popular and political formations set up by direct free elections must, genuinely and fairly, represent the forces making up the majority. Hence, we must guarantee for the workers and farmers at least half the seats in these formations, at all levels including the National Assembly. Not only are the truth and justice of this a representation of the majority, but this is a sure guarantee for the strength of the revolutionary drive. In this way the authority of the elected people's councils will be asserted over the authority of the executive and administrative machinery of the State, and the people will always be leaders of national action. Furthermore, local administration must always and continually transfer, gradually and whenever possible, the authority of the state to the hands of the people's formations which are more capable of sensing the problems of the people and of solving them.

The collectivity of leadership at all levels of political and popular action must always be maintained as a safeguard against deviation of the individual, as an assertion of the highest level of democracy and a guarantee of its continuity and rejuvenation.

The people's formations, especially cooperatives, labour unions, youth and feminist organisations, can play an effective part in the establishment of a sound democracy. Such

organisations should become progressive powers in the field of democratic action. The cooperative and syndicate movement is an unlimited source of alert leadership which has its finger on the pulse of the masses. The oppression which used to suffocate the liberty of such organisations should be removed.

Public liberties are safeguarded within the limits of laws. The United Arab Republic guarantees to all citizens, on an equal footing and without discrimination, freedom of opinion and expression, freedom to criticise and self-criticism freedom, freedom to meet and form societies, freedom to form cooperatives, syndicates or organisations, freedom of education, creed, religion, and other public freedoms.

Citizens are equal before the law. They are equal in so far as duties and rights are concerned, regardless of origin, language, religion or creed. Woman, meanwhile, should be equal to man in so far as public rights are concerned. The remnants of the shackles delaying woman's free movement should be removed so that she can share in making life deep and positive.

Citizens have the right to vote and elect according to the law. Citizens' participation in public life is a national duty. All individuals have the right to elect and become candidates.

The Economic and Social Constituents

Socialism is the way to social freedom. This cannot be realised except through providing equal opportunities for each citizen to get a fair share of the national wealth. The base of national wealth must be wide enough to satisfy the legal demands of the masses of the people.

The path of the revolution and that of socialism are identical. Both paths represent an inevitable necessity asserted by the historic present, the unlimited hopes of the masses to put an end to economic and social backwardness in the Arab Nation; and also asserted by international circumstances.

The capitalist achievements in progress went side by side with imperialism; the capitalist States have reached economic prominence through their exploitation of the resources of colonised peoples. The age of imperialistic piracy has come to an end.

Other experiences in progress have realised their goals only at the expense of millions of toiling people for the benefit of capital, or under the pressure of certain ideological applications which went as far as full sacrifice of full generations for the sake of other generations not yet born.

Advancement through plunder or through *corvée* is no longer tolerable under the new human values. These defeat imperialism and *corvée*. Not content with bringing an end to imperialism and *corvée* human values have opened new ways for action for progress.

Capital in countries which were compelled to be backward can no longer dominate the economic upsurge at a time when large monopolies in advanced countries have grown at the expense of exploiting the peoples' sources of revenue. Nor can local capitalism compete except behind the barriers of high customs protection at the expense of the masses, or binding itself to the movement of world monopolies and dragging their countries into a serious abyss.

Action to increase the basis of the national wealth cannot be left to the whims of exploiting private capital and its wild impulses, motivated solely by the selfish pursuit of profit. It was, therefore, necessary that the economic upsurge of the Arab homeland be governed by the following three conditions:

1.—Accumulation of national savings.

2.—Placing all experience in modern science at the service of the investment of these savings.

3.—Drawing up an overall plan for production.

The aims of planning in the socialist society are:

1.—Achievement of balanced development of the economy in all the different sectors.

2.—Supplying the public and private needs of the society and the individual.

3.—Equitable distribution of national wealth.

4.—That workers be ensured a positive participation in management together with a real share in the profits of production; and, at the same time, the setting of a minimum level for wages ensuring a decent life for the working man.

Therefore, it is necessary to have the people control all means of production and guide their surplus according to

a definite plan, which is at the same time the path of democracy in all its political and social forms. This does not necessarily entail the nationalisation of all the means of production nor the abolition of private ownership or the right to legal inheritance arising from it. This can be attained by two methods: firstly, by the creation of a public sector capable of guiding progress in all fields and of bearing the principal responsibility in the development plan; and secondly, by the presence of a private sector participating in the development within the framework of the total plan without exploitation. The people should supervise and control both sectors.

Efficient socialist planning is the only path that guarantees the employment of all the national material and human resources in a practical, scientific and humanitarian way so that good can be achieved for all the people and a life of comfort provided for them.

This planning is a guarantee of the good exploitation of resources, present, inherent and possible. This planning is at the same time a guarantee for distributing the basic services continually and raising their standards and extending these services to the areas which were devoured by neglect and helplessness as a result of long deprivation which was imposed by the selfishness of the despotic classes which looked down upon the struggling people.

In the organisation of production it must be borne in mind that the purpose of production is the widening of the scope of services, and that services, in turn, provide driving power for the wheels of production: the organisation must also be based on centralised planning and decentralised execution in order to ensure that programmes of the plan are placed in the hands of all individuals of the people.

Private ownership and private capital must be positioned in such a way as to prohibit the emergence of feudalism, monopoly or exploitation. Private capital must also be subordinate to the direction of the people's authority in line with the public sector.

The authority of the people directs private capital in accordance with the needs of the people, and puts an end to its activities if it tries to exploit or deviate from its role.

The Arab application of socialism in the field of agriculture aims basically at emancipating the farmers from exploitation and domination by the following means:

1.—Setting a maximum limit to agricultural ownership putting an end to feudalism, the exploitation of the farmers and its recurrence.

2.—Increasing the productivity of the land by adopting scientific and technological methods and means.

3.—Organising individual and collective investment in a manner ensuring justice in the distribution of the fruits of the land.

Finally the Arab people who live in this area which has received the heavenly revelations have faith in the mission of religion, and draw on the spiritual strength of religions to gain drive for their struggle to assert their entity and attain their goals.

It must be firmly established in our minds that religion is one of the basic constituents on which Arab society builds its life and future, next to all other material constituents which religion upholds and does not contradict; and that by their faith in God and confidence in themselves, these peoples hold the means of imposing their will on life to mould it anew in accordance with their principles and aspirations.

With God's help agreement has been reached on the following basic principles:

1. To build up a Federal State under the name of the 'United Arab Republic' on the basis of free unity between Egypt, Syria and Iraq. The names of the members of the Federal State shall be 'the Egyptian Region', 'the Syrian Region' and 'the Iraqi Region'.

2. Every independent Arab State having faith in the principles of liberty, socialism and unity has the right to join this State by free people's will. This joining shall take place after the approval of the constitutional authority in the Federal State.

3. The Federal State shall have full international sovereignty.

4. The nationals of the Federal State shall have one nationality, namely, Arab nationality. It will be enjoyed by

everyone enjoying the nationality of the three member-States on the proclamation of the Federal State. This nationality shall be governed by a federal law.

5. The people in the Federal State shall enjoy sovereignty in accordance with the Constitution.

6. Islam shall be the official religion of the State and Arabic shall be its official language.

7. The Federal State's flag shall be that of the present United Arab Republic with three stars instead of two. A new star is to be added when a state joins the Federal State.

8. Cairo shall be the capital of the State.

9. The authority of the Federal State includes the following:

(*a*) All aspects of foreign policy including foreign representation, and agreements and treaties concluded with other countries and international organisations;

(*b*) National defence and security taking into consideration the fact that the Federal Armed Forces constitute part of the people. They are loyal to the people from whom they receive their orders through the constitutional authorities concerned with the national federal limits. War, peace, the preparation of land, naval and air forces, their armament training and use, as well as the Defence Council, the General Headquarters of the Armed Forces and the military headquarters in the regions will be among other subjects included in national defence and security. These affairs, however, will be entrusted to each region during transitional periods to be agreed on. The same thing will be applied to subjects relating to military industries, national security organisations, martial laws in emergencies and particular cases when the local authorities of the regions are given the right to use the Armed Forces by permission from the Federal authorities.

Finance and the Treasury

This deals with the taxes of the Federal State and its budget treasury bills, and the Federal State bonds to finance the projects of the Federal State; it also deals with foreign and domestic loans. It also deals with laws, the tariff policy which aims at establishing a tariff unity, a common Arab market to be developed into a united common Arab Market.

Economy, economic planning and development

This covers economic planning in industry, agriculture, trade and communications, coordinating the economic plans of the regions, and drawing up economic policy, trade exchange policy and banking policy, also organising relations with international economic organisations, exchange matters, and organisation of the exploitation of sources of natural wealth.

Information, Culture and Education

This comprises the establishment of a central Federal agency which plans information affairs in the regions of the Federation. Execution of information policy will be either Federal or regional. It also includes Supreme Councils charged with the planning and drawing up of the general policy of education, scientific research, culture and arts, within the framework of the Federation, implying unity of thought and unionist Arab national tendencies, with particular stress on spiritual, scientific and moral preparation of the rising generation.

Justice and coordination of laws

This includes drawing up principles of justice in the regions of the Federal State, and the coordination of laws prevailing in these regions in order to unify them in stages in addition to organising the federal judicial system.

Federal Communication

This includes organising communications, such as land, air, radio, telephone communications and observatories, on a federal level.

Other affairs

This includes projects to be implemented jointly by the regions and the exceptional authorities during war or emergency ; the formation of joint councils entrusted with various responsibilities within the framework of the federal legislations. The regions will be entrusted with the execution of federal laws and decisions in so far as these affairs are concerned.

10. The regions will be entrusted with all the authorities not included in the jurisdiction of the Federal State. Through a federal law, the regions can be authorised to exercise some

of the jurisdiction of the federal authorities for a particular period of time. In such a case, the federal authorities have the right to supervise work of the regional authorities.

The Constitutional Organisations of the Federal State

It has been agreed that the federal state organisations and the relations between them should be in accordance with what follows and in accordance with what is expressed in the appendix attached to this declaration:

First: *The national assembly*

1. is the highest organisation of the authority of the state in the United Arab Republic;

2. is the organisation which exercises the legislative authority;

3. consists of two houses:

(*a*) The Chamber of Deputies consists of a number of members in proportion to the population in each region. It is elected by direct free election and by general secret ballot. The membership term is four years;

(*b*) the Federal Council consists of equal numbers of members from each region and elected by the method determined by the Federal Constitution and the term of membership is four years. The number of its members is one-quarter of the number of the members of the Chamber of Deputies at least and one-third at most.

4. The National Assembly elects the President of the Republic and his Vice-Presidents in the way determined by the Constitution.

5. The two Houses discuss the principal affairs concerning the State's internal and foreign policy, and the development plans and adopt resolutions concerning them.

6. The President and each of the members of the two Houses have the right to propose laws and the Constitution determines the procedures and the proportions concerning this.

7. No law can be issued unless it is approved by the two Houses (Councils). Should the two Houses differ in opinion

in respect of any law, such law shall be submitted to a conciliation committee comprising an equal number of members of the two Houses.

8. The President of the Republic shall issue laws after their approval by the two Houses. He shall have the right to return any law within a period to be specified in the Constitution. If such law is approved by the two Houses by a majority of three-quarters of their members it will be promulgated.

9. Every member of the two Houses has the right to table questions or interpellations to the Prime Minister and the Ministers. The Constitution and the federal law shall regulate the manner in which such questions and interpellations may be tabled.

10. The Council of Ministers shall be responsible to the National Assembly. A vote of confidence or non-confidence may be passed by an absolute majority.

11. The dissolution of any or both Houses shall be by a decision to be taken by the President of the Republic.

12. The National Assembly shall have the right to consider applications submitted to join the Federal State.

13. The Federal Constitution may be amended by a majority of three quarters of votes of each House.

14. The Constitutions of the regions must not be incompatible with the Federal Constitution.

The President

1. The Head of State is the President of the Republic to be elected by the National Assembly to represent the State's authority.

2. Every national in the State fulfilling the conditions for election as member of the National Assembly may be elected President of the Republic. The election of the candidate shall be announced if he obtains two-thirds of the votes of all members of the National Assembly. If he does not obtain this proportion of votes election will be held again. The election of the candidate shall be announced if he obtains an absolute majority of votes of the members of the National Assembly. The Constitution shall regulate the remaining provisions concerning election.

3. The term of presidency shall be four years. If the term expires during the interval of the renewal of the National Assembly the President shall continue to exercise his prerogatives until such time as the renewal of the National Assembly is made and the new President is elected.

4. The President shall be the Supreme Commander of the Armed Forces and shall preside over the National Defence Council.

5. The Constitution shall define the prerogatives of the President of the Republic. In particular, the President of the Republic shall:

(*a*) represent the State ;

(*b*) issue the laws ;

(*c*) propose laws ;

(*d*) object to laws ;

(*e*) appoint the Prime Minister, and Ministers who must enjoy the confidence of the National Assembly, and accept their resignation ;

(*f*) appoint officers and dismiss them and promote commanders of the Armed Forces ;

(*g*) appoint judges of the Federal Supreme Court ;

(*h*) appoint top officials of the Federal State in the case defined by law.

1. Three Vice-Presidents shall be appointed, one for each region, in the same manner and at the same time as the President is elected.

2. The Vice-Presidents shall assist the President in his functions. The President shall have the right to delegate the Vice-Presidents, invest them with some of his functions and seek their advice on matters entrusted to him.

3. The Constitution shall regulate the remaining provisions concerning the Vice-Presidents.

The Cabinet

1. The Council of Ministers shall be formed of the Prime Minister and Ministers.

2. The Council of Ministers and the Ministers shall be responsible for their actions to the National Assembly.

3. The Prime Minister and the Ministers shall continue to occupy their posts as long as they enjoy the confidence of the President.

4. The Federal Council of Ministers shall undertake the organisation and execution of the Federal State's duties and take the necessary decisions for this purpose (according to the Constitution and the federal laws).

5. The cabinet after its appointment presents its programme to the National Assembly for approval.

6. The Constitution and the federal laws organise the rules of the Council of Ministers and the Ministries and the various other Government organisations.

7. The Constitution and the federal laws organise the rules for ministers.

Thirdly: *The Judiciary*

1. The union has a supreme court called the Supreme Federal Court, to be established under the provisions of the Constitution by federal law.

2. The National Assembly chooses the members of the Supreme Federal Court in accordance with nomination by the President of the Republic from among the judiciary and jurists.

3. The Constitution and the federal laws organise the jurisdiction of the Supreme Federal Court, provide immunity for the members of the court, decide their term of office and when they should be relieved of their duties.

Agreement has been made on the organisations in the regions:

First: *President of the region*

1. Is elected by the Legislative Council of the region for a term of four years and agreed upon by the President of the republic.

2. Assumes the jurisdiction determined by the Federal Constitution and the Constitutions of the regions.

3. Appoints the Cabinet of the region and accepts its resignation.

Second: *The Regional Legislative Council*

1. Each region shall have a Legislative Council, elected by free direct ballot.

2. The Constitution shall specify the functions of the Legislative Council.

3. The Legislative Council shall promulgate legislation applying to its respective region.

4. The regional Constitution shall be amended in the way set by the Constitution. These amendments shall not be operative except after ratification by the respective majority in each of the Chamber of Deputies and Federation Council.

5. Questioning of the Cabinet and Ministers and of the Regional Ministers and withdrawal of confidence from the Cabinet, shall be effected in the manner set out in the Constitution.

Third: *The Regional Cabinet*

1. Each region shall have a cabinet comprising a Prime Minister and Ministers.

2. The regional Cabinet shall be responsible to the respective regional Legislative Council whose confidence it must hold.

3. The Constitution shall regulate cases of withdrawing confidence from the Ministry.

4. The Constitution and legislation shall specify the jurisdiction of the Ministries, procedure of their operation and provisions relative to the Ministers.

Fourth: *Courts of Law in the Region*

The Constitution and legislation of the region shall regulate courts of law in the region and guarantee their independence and immunity.

The following provisions were agreed to be adopted during the transitional period:

Firstly: In the Federal State:

1. The Federation's Constitution and President shall be subject to a referendum within a maximum period of five months (from the announcement of this communiqué).

2. The constitutional birth of the Federal State (the UAR) dates from the announcement of the results of the referendum.

3. The federal constitutional organisations should complete all their constituent parts as stipulated by the constitution within 20 months from the announcement of the referendum. Thus the transitional period will end.

4. Each region has the right to choose its own constitutional organisations as a preliminary step to the full establishment of the federal organisations, during the transitional period. Federal legislation organises the constitutional validity of the regions' organisations which may be established within this period.

5. Agreement among the member states should be reached for a programme to complete the unification of federal, military, foreign, legislative, economic and cultural organisations etc., thus facilitating a transitional provision in the Constitution stipulating such a programme.

6. All legislative and executive powers in the Federal State during the transitional period are assumed by a Presidential Council, presides over by the President; Vice-Presidents act as members of this Council.

7. The formation of the Presidential Council:

The Presidential Council will be formed of an equal number of members from each region.

8. The members of the Presidential Council will be selected by the quarters which have legislative authority in the member states at the time of the proclamation of the Federal State.

9. The President of the Republic will have the right to appoint and dismiss Ministers.

10. The decisions of the Presidential Council will be taken by the majority of votes.

11. The President of the Republic has the right to oppose any decision or law reviewed by the Presidential Council.

12. The Presidential Council will be responsible for the following:

(*a*) appointing the Vice-Presidents (a Vice-President for each region) through an agreement with the legislative quarters concerned in the region during the transitional period.

(*b*) Appointing a President of each region, with the agreement of the legislative quarters in the region during the transitional period.

(*c*) Appointing members of the National Defence Council and following up the progress of its work.

(*d*) Planning the State's general policy and entrusting the Ministers with executing it.

(*e*) Co-ordinating public interests between the regions.

(*f*) Appointing members of the higher councils referred to in the part dealing with general principles.

13. The Federal Cabinet consists of:

(*a*) The Prime Minister ;

(*b*) The Ministry of Foreign Affairs ;

(*c*) The Ministry of Defence ;

(*d*) The Ministry of Information, National Guidance and Culture ;

(*e*) The Ministry of Education, Higher Education and Scientific Research ;

(*f*) The Ministry of Treasury and Finance ;

(*g*) The Ministry of Economy and Economic Planning (communications affairs to be added to its functions) ;

(*h*) The Ministry of Justice ;

(*i*) The Ministry of State.

14. Further ministries can be established in accordance with a federal law.

15. Joint meetings of the Federal Cabinet and the Presidential Council can be held.

It was also agreed to follow the following general rules:

1. All legislation in force in any region will continue to be in force until it is amended or abolished by the competent constitutional authority.

2. The agreements and treaties, which have been previously concluded by the government of any region, will continue to be implemented within the region which has concluded them.

3. All the present government organisations and departments will continue to perform their duties in accordance with various laws and regulations prevailing now until new rules and regulations are drawn up or until the old laws are amended.

4. Until a plebiscite has been held on the Federal Constitution, the member states will form the following committees for authorities the formation of which will pave the way for the federal establishments and organisations:

(*a*) A Unified Military Command.

(*b*) A Foreign Affairs Committee.

(*c*) A committee for economic co-ordination and an Arab Common Market.

(*d*) Any other committees.

APPENDIX I

STATE CONSTITUTION AND CONSTITUTIONAL ORGANISATIONS

STATE CONSTRUCTION

First: *General Principles*

1. A Federal State called the United Arab Republic shall be established on the basis of free unity between Egypt, Iraq and Syria. The names of the members of the Federal State shall be the "Egyptian Region", the "Iraqi Region" and the "Syrian Region".

2. Every independent Arab Republic which believes in the principles of freedom, socialism and unity may join this State by the free will of its people. Joining shall take place after the approval of the constitutional authority concerned in the Federal State.

3. The Federal State alone shall have full international authority.

4. The nationality of the Federal State shall be enjoyed by anyone who enjoys the nationality of any of the member states on the proclamation of the Federal State or the nationality of any State on its joining the federation. The rules concerning the acquirement of the nationality of the Federal State or its loss or anything that is concerned with it, shall be governed by a federal law.

5. The people shall enjoy sovereignty in accordance with the constitution.

6. Islam shall be the official religion of the state and Arabic shall be its official language.

7. The Federal State's flag shall be that of the present United Arab Republic with three stars instead of two. A new star is to be added when a new State joins the federation.

8. A federal law shall fix the emblem.

9. A federal law shall fix the national anthem.

10. There shall be one nationality: "Arab", which shall be governed by a federal law.

11. Cairo shall be the capital of the Federal State.

Second: *The Authority of the State*

The authority of the Federal State shall include:—

(1) Foreign policy.

(2) Defence.

(3) National security.

(4) Finance and treasury (budget, customs, etc.).

(5) Economy, economic planning and development.

(6) Information and national guidance (on federal level).

(7) Cultural planning.

(8) Co-ordination of general education, higher education and scientific research.

(9) Justice and co-ordination of laws.

(10) Federal communications.

(11) Other Federal State prerogatives may be added by the method stipulated in the Constitution.

(1) *Foreign Policy:*

(*a*) All aspects of foreign representation (taking into consideration the regional factor in certain aspects such as commerce and culture which shall be transformed gradually from regional to federal by a federal law).

(*b*) The affairs of the United Nations and other world organisations.

(*c*) Treaties with foreign countries (the regions may conclude some trade agreements with the approval of the Federal State).

(*d*) Extradition of criminals and political asylum.

(*e*) Issuance of Arab passports and visas.

(*f*) Entrance of aliens into territory of the Federal State, their residence and deportation according to federal laws.

(*g*) Questions pertaining to nationality and all other foreign questions.

(2) *Defence :*

It is an established principle that the Armed Forces are part of the people and owe allegiance only to the people and take orders only from the people through the constitutional authority concerned within the federal national limits.

(*a*) War and peace matters.

(*b*) The preparation of land, sea and air forces, their armament, training and use.

(*c*) The military command: A unified military command with local decentralisation of the prerogatives of local commands directly attached to the General Command (the affairs of the local commands shall be run by the authorities of the regions during the transition period deemed suitable for each region).

(*d*) The Defence Council and the General Command of the Armed Forces as well as the Regional Military Commands.

(*e*) General mobilisation.

(*f*) War industries.

(3) *National Security :*

(*a*) National security establishments agreed upon in the Constitution or by federal laws.

(*b*) Proclamation of martial law when the Federal State or any of the Regions is exposed to danger.

(*c*) States of emergency specified by federal law which would give the regional authorities the right to use the armed forces till the state of emergency ends.

(4) *Finance and Treasury :*

(*a*) Federal Taxes.

(*b*) Federal budget (from federal taxes or contributions from the regions in the way and for the aims agreed upon, or from loans or from other sources).

(*c*) The issuance of treasury bills and Federal State bonds to finance federal projects.

(*d*) Borrowing from outside or internally (and it is forbidden for regions to contract foreign loans except with the approval of the Federal State).

(*e*) Custom laws and policy (which will gradually become a tariff unity and an Arab Common Market).

(5) *Economy, Economic Planning and Development:*

(*a*) A higher council for planning.

(*b*) Economic planning in industry, agriculture, trade and communications, as well as co-ordinating the economic plans of the regions.

(*c*) A Higher Economic Council to examine joint economic questions and co-ordinate between them and study these questions in relation to other countries.

(*d*) Economic policy.

(*e*) Trade representation abroad (its organisation and trade treaties and pacts).

(*f*) Organising trade between the regions of the Federal State.

(*g*) Organising payment among the regions of the federation and with foreign countries.

(*h*) Currency.

(*i*) Federal banking affairs.

(*j*) Relations with international economic establishments.

(*k*) Federal industries.

(*l*) Joint projects.

(*m*) Nuclear energy and the natural resources needed for its production.

(6) *Information and National Guidance on the Federation level:*

(*a*) Establishment of a central federal agency for federal planning of information.

(*b*) Execution of the information policy shall be in part regional and in part federal.

(7) *Cultural Planning :*

(*a*) A Higher Council for Arts and Literature.

(*b*) Arab culture and its relation to other cultures.

(8) *Planning of Education, Higher Education and Scientific Research :*

(*a*) Higher council or councils for education and research.

(*b*) General policy for education and research.

(*c*) Curricula.

(*d*) Guarantees for unity of thought and unionist Arab national tendencies, and spiritual scientific and moral preparation of rising generations which will build complete unity and establish a free socialist Arab society.

(*e*) The running of federal establishments concerned with educational and scientific affairs.

(9) *Justice and Co-ordination of Laws :*

(*a*) Unified principles for justice (drawing up of the basic principles for laws such as the penal code, the civil law, the commercial law, the law of procedure, the labour law, the social insurance law, etc.).

(*b*) Co-ordination of laws with a view to unifying them in stages.

(c) Federal judiciary.

(10) *Federal Communications :*

This includes all means of land, sea and air transport and federal communications such as railways, steamships, aircraft, post, telegraph, telephone, wireless and meteorology on the federal level.

(11) *Any fresh matters in accordance with the way specified in the Federal Constitution :*

(*a*) All affairs and projects which jointly concern the three regions.

(*b*) Exceptional authority during war or emergencies in the regions (in accordance with a federal law).

(*c*) Making it incumbent on the regions to execute the federal laws and decrees and respect any particular obligation, and giving instructions to the regions to execute any decision taken by a federal authority.

(*d*) Arbitration among regions whenever differences arise.

(*e*) Joint councils for various services in accordance with federal legislation.

(*f*) The Federal State has the right to grant complete amnesty to crimes according to a federal law.

(*g*) Special pardon is a prerogative of the President.

Third: *Authorities of the Regions*

1. The regions will be entrusted with all the authorities not included in the jurisdiction of the federal state.

2. Through a federal law, the regions can be authorised to exercise some of the jurisdiction of the federal authorities for a particular period of time. In such a case, the federal authorities have the right to supervise the regional authorities.

3. It is possible to entrust to the regional authorities the implementation of some federal laws.

APPENDIX II

THE CONSTITIONAL ORGANISATIONS OF THE FEDERAL STATE AND THE RELATIONS BETWEEN THEM

The National Assembly

1. Is the highest organisation of the authority of the State in the United Arab Republic ;

2. Is the organisation which exercises the legislative authority ;

3. Consists of two houses:

(*a*) *The Chamber of Deputies :* consists of a number of members in proportion to the population in each region. It is elected by direct free election and by general secret ballot. The term of membership is four years.

(*b*) *The Federal Council:* consists of an equal number of members from each region elected by direct free election and by general secret ballot. The term of membership is four years. The number of its members is one-quarter of the number of its members of the Chamber of Deputies minimum and one-third maximum.

4. Membership of the Councils, cases of vacant seats and internal regulations of these councils are laid down in the Federal Constitution and in the federal laws.

5. Joint membership in the Chamber of Deputies, the Federal Council and the Regional Legislative Councils at the same time is not allowed.

6. Members of Councils are not to be questioned for their opinions and views which they advance in the exercise of their parliamentary duties. The Constitution provides for the immunities of members of the councils.

7. The meeting of the Federal Councils takes place in the capital of the Federal State. The place of meeting may be fixed in any other region by a federal law. The councils may also be convened, in case of emergency, in any other region by virtue of a Federal decree. Meetings of the Councils held in other than the legal locality will not be valid and the decisions taken by them are null and void.

8. The sessions of the Houses are laid down by the constitution and are summoned by the President of the Republic, otherwise they convene on the day fixed according to the Constitution.

9. Any House may hold extraordinary sessions upon the request of the President of the Republic or a quarter of the number of members. The President of the Republic shall be informed of this extraordinary session.

10. The National Assembly convenes in the cases laid down by the Constitution.

11. The two Houses discuss the basic affairs pertaining to the State's internal and foreign policy, and the development plans and adopt resolutions concerning them.

12. The President and each of the members of the two Houses have the right to propose laws and the Constitution determines the procedures and the proportions concerning this.

13. No law can be issued unless it is approved by the two Houses. Should the two Houses differ in opinion in respect of any law, such a law shall be submitted to a conciliation committee comprising an equal number of the two Houses, on condition that the chosen number from the Chamber of Deputies should have the same proportional formation as the Council. Should the Committee reach an opinion opposing the law (or the law after being amended), it should be referred to the two Houses. If the Committee does not reach an opinion or if any of the two Houses does not agree, the law is postponed to the next session (or to a next meeting).

14. The President of the Republic shall issue laws after the approval of the two Houses. He shall have the right to return any law within a period to be specified in the Constitution. If such a law is approved by the two Houses by a three-quarters majority of their members, it will be promulgated.

15. No House is to take any decision unless the majority of its members is present ; in the cases which do not require a special majority, the resolutions are issued according to the absolute majority of the present members.

16. Every member of the two Houses has the right to table questions or interpellations to the Prime Minister and the Ministers. The Constitution and the Federal Law shall regulate the manner in which such questions and interpellations may be tabled.

17. The Council of Ministers shall be responsible before the National Assembly. A vote of confidence or no-confidence may be passed by an absolute majority.

18. The Constitution and the Federal Laws regulate the joint exercise of membership of the two Houses and public office.

19. The dissolution of any or both Houses shall be by a decision of the President of the Republic.

20. The President of the Republic has the right of speech in the National Assembly or in the Chamber of Deputies or in the Federal Council, upon his request. He also has the right to convey to them any messages or reports.

21. The Prime Minister and the Ministers have the right of speech in any House and participation in the discussions (the Constitution regulates the procedures).

22. Membership in the Cabinet is allowed in any of the Houses at the same time.

23. The National Assembly elects the President of the Republic and the Vice-Presidents (in the manner defined by the Constitution).

24. The National Assembly shall have the right to accept a new member to the Federal State by a majority of three-quarters of the votes of each House.

25. The Federal Constitution may be amended by a majority of three-quarters of the votes of each House.

26. The Constitutions of the regions must be compatible with the Federal Constitution. They should be agreed upon before the Federal Constitution is made subject to a plebiscite.

27. The regional Constitution may be amended by the Legislative Council in the manner to be specified by the Constitution. These amendments are not considered effective unless they are approved by the Federal Councils by a majority of three-quarters of the members of each council.

28. The two Houses shall approve the treaties in the manner to be specified by the Constitution and the law.

29. The National Assembly has the right to declare wars (according to the Constitution).

30. The Constitution regulates cases in which the President of the Republic is accused of high treason or disloyalty according to a proposal submitted by a certain proportion of the members of the National Assembly.

31. The Constitution and the federal laws regulate the trial of the Ministers.

32. In the period of recess of the Legislative Councils a presidential council for the National Assembly elected from among its members (in the manner specified by the Constitution) shall issue laws provided that they are approved by the two Houses upon their convening.

THE PRESIDENT OF THE REPUBLIC

1. The Head of the State is the President of the Republic elected by the National Assembly to assume the authority of the State.

2. Every citizen of the State eligible as member of the National Assembly may be elected President of the Republic. The election of the candidate will be proclaimed if he obtains two-thirds of the votes of all the members of the Assembly. If this majority is not obtained, the election shall be repeated, and, in this case, if the candidate obtains an absolute majority of the votes of all the members of the Assembly, his election will be proclaimed. The Constitution regulates all other election laws.

3. The term of presidency is four years: in case this term expires during the recess of the re-election of the Assembly, the President shall remain in the exercise of his functions until the election of the Assembly is completed and a new President is elected.

4. The President is the Supreme Commander of the Armed Forces and presides over the National Defence Council.

5. The attributes of the President of the Republic are defined by the Constitution ; however, he is competent to deal with the following:

(*a*) To represent the State in foreign relations, to detach and to approve the detachment of diplomatic representatives and to ratify international treaties.

(*b*) To receive and approve the credentials of diplomatic representatives.

(*c*) To convene and dismiss the sessions of the meeting of the Chamber of Deputies, and the Federal Council.

(*d*) To appoint the Prime Minister and Ministers enjoying the confidence of the National Assembly.

(*e*) To accept the resignation of the Prime Minister and Ministers from their functions.

(*f*) To promulgate laws ratified by the two councils.

(*g*) To propose the laws.

(*h*) To contest the laws.

(*i*) To make declarations and transmit messages and reports to the National Assembly.

(*j*) To appoint officers and relieve them of their duties, and promote the Generals of the Armed Forces (in conformity with the Constitution and federal laws).

(*k*) To attend and preside over meetings of the Cabinet, to ask for reports from it and from the individual members of the Cabinet and to discuss matters with the Cabinet and its members.

(*l*) To proclaim a state of emergency (in conformity with the Constitution).

(*m*) To declare war (in conformity with the Constitution).

(*n*) To appoint the senior officials of the Federal State in cases specified by law.

(*o*) To lay down, in conjunction with the Cabinet, the general policy of federal affairs.

(*p*) To appoint the judges of the Supreme Federal Court (in conformity with the Constitution and the federal laws).

(*q*) To grant amnesty.

6. The President of the Republic shall not occupy any post in the Government of any region or be a member in any Legislative Council.

7. The cases of vacancy of the post of President of the Republic are regulated by the Constitution.

Vice-Presidents

1. Three vice-presidents are appointed (one for each region) by the same procedure for and simultaneously with the election of the President of the Republic.

2. The Vice-Presidents shall assist the President in the exercise of his functions, and he may delegate them in his place, confer on them some of his prerogatives, and consult them in the matters entrusted to him.

3. The Constitution regulates all the other matters relating to the Vice-Presidents.

The Council of Ministers

1. The Council of Ministers is constituted of the Prime Ministers and the Ministers. Deputy Prime Ministers and Deputy Ministers may also be appointed.

2. The Council of Ministers and the Ministers are answerable for their duties before the National Assembly.

3. The Prime Minister and the Ministers shall occupy their posts as long as they enjoy the confidence of the President.

4. The Federal Council of Ministers is concerned with the organisation and implementation of the affairs of the Federal State, and issues decisions to this purpose (in conformity with the Constitution and the federal laws).

5. The Cabinet shall submit, after its formation, its programme to the National Assembly for approval.

6. The Constitution and the federal laws lay down the provisions relating to the Council of Ministers, the Ministers, and the various other governmental organisations.

7. The Constitution and the federal laws lay down the provisions relating to the Ministers.

THE JUDICIARY AUTHORITY

1. A Supreme Court of the federation is created with the title of ' The Supreme Federal Court ', and is to be constituted in conformity with the provisions of the Constitution and in the virtue of a federal law.

2. The Federal State may create other Federal Courts, to be constituted by federal laws.

3. The competence of the Supreme Federal Court is laid down by the Constitution and the federal laws.

4. The members of the Supreme Federal Court shall be selected by the National Assembly on the proposal of the President of the Republic and shall be chosen from amongst members of the Judiciary and or law-men, (in conformity with the Constitution and the federal laws).

5. The Constitution and the federal laws provide the immunities for the members of the Court, and determine the terms of their appointment, and the cases for relieving them of their functions.

Regional Authorities

I. *The Regional President*

1. The Regional President shall be elected by the Legislative Council of the Region, for a term of four years; the election shall be approved by the President of the Republic. (The procedure for candidature and election are laid down by the Constitution.)

2. The regional President exercises the attributes specified by the federal and the regional Constitutions.

3. The regional President appoints the cabinet of the region and accepts its resignation.

II. *The Legislative Council*

1. Each region shall have a Legislative Council, freely and directly elected by secret ballot.

2. The Constitution shall define the Legislative Council's competences.

3. A region's Legislative Council shall issue the rules and laws relating to that region.

4. A region's constitution shall be amended in the manner defined by the Constitution. Such amendments shall not come into force except after approval by a three-quarter majority of the Chamber of Deputies and the Federal Council.

5. The Legislative Council shall discuss matters with the region's Cabinet and Ministers, shall ask and question the Ministers and shall withdraw confidence from the Government in the manner defined by the Constitution.

6. A region's Legislative Council shall be dissolved as follows:

(*a*) In accordance with a decision issued by the region's President.

(*b*) By a decision issued by the President of the Republic, in accordance with a decision taken by the Federal Council by a two-thirds majority.

III. *A Region's Cabinet*

1. Each region shall have a Cabinet formed of a Prime Minister and Ministers.

2. A region's Cabinet shall be responsible to the region's Legislative Council and must have its confidence.

3. Cases of withdrawal of confidence from the Cabinet shall be regulated by the Constitution.

4. The Constitution and the Laws shall define the Ministers' competences, the manner of their application and the rules and regulations relating to the Ministers.

IV. *A Region's Judiciary*

A region's Constitution and its laws shall regulate the region's Judiciary and safeguard its immunity and independence.

TRANSITION LAWS

The Federal State

1. A plebiscite on the Federal Constitution and the President of the Republic shall be held within a period not exceeding five months after the publication of this announcement.

2. The Federal State (the United Arab Republic) shall be considered constitutionally standing on the announcement of the plebiscite's results.

3. Federal constitutional organisations shall have completed all their elements indicated in the Constitution within a period of twenty months at the utmost, after the publication of the plebiscite's results. The transition period will thus have ended.

4. Each region shall establish before this date the constitutional organisations it needs, in preparation for the complete establishment of all the federal organisations during the transitional period. Federal legislation shall regulate the constitutionality of regional organisations established during this period.

5. Legislative and executive authority in the Federal State shall be exercised during the transition period by a Presidential Council headed by the President of the Republic. The Vice-Presidents of the Republic shall be members.

6. The Presidential Council shall be formed of an equal number of members from each of the regions.

7. Presidential Council members shall be chosen by the Legislative Authorities in Member States since the establishment of the Federation.

8. The President of the Republic shall appoint the Prime Minister and Ministers, and shall relieve them of their functions.

9. The Council's decisions shall be by the majority of its members.

10. The President of the Republic has the right to object to any decision taken or law issued by the Presidential Council.

11. The Presidential Council undertakes the following:

(*a*) Appointment of Vice-Presidents of the Republic (a Vice-President from each region), in agreement with those in possession of the legislative authority in the region during the transition period.

(*b*) Appointment of a President for each region, in agreement with those in possession of legislative authority in the region during the transition period.

(*c*) Appointment of a National Defence Council and the following up of its actions.

(*d*) Laying down and planning the State's general policy and entrusting the cabinet with the execution.

(*e*) Co-ordinating public services between the regions.

(*f*) Appointment of the Higher Councils mentioned in the general principles.

12. The Federal Cabinet:

(*a*) The Prime Minister ;

(*b*) Foreign Affairs ;

(*c*) Defence ;

(*d*) Information, National Guidance and Culture ;

(*e*) Education, Higher Education and Scientific Research ;

(*f*) The Treasury and Finance ;

(*g*) Economy and Economic planning, plus communications ;

(*h*) Justice ;

(*i*) State Ministers.

13. Other Ministries may be established by the promulgation of a Federal Law.

14. Joint meetings may be held of the Federal Cabinet and the Presidential Council.

GENERAL RULES

1. All laws and regulations followed in any region shall continue to be in force in that region until its amendment or complete abrogation by the constitutional authority concerned.

2. Agreements and treaties already concluded by the Government of any region shall remain in force within the scope of that region.

3. All present organisations and government departments shall continue their work, in accordance with the existing laws and regulations until these have been amended or replaced by new laws and regulations.

4. Member States shall agree on a programme to complete the unification of federal military or foreign or legislative or economic or cultural organisations or others, so that reference to such a programme would be made in one of the Constitution's transitional articles.

5. Until the plebiscite on the Federal Constitution is completed, member States shall undertake the formation of the following committees and organisations, so that their formation and their starting would pave the way for the real establishment of federal organisation when unity is ensured:

(*a*) A Unified Military Command ;

(*b*) A Foreign Affairs Committee ;

(*c*) An Economic Co-ordination and Common Arab Market Committee.

(*d*) Any other Committee or Committees.

GAMAL ABDEL NASSER
President of the United Arab Republic

LOUAY ATTASSI
President of the Syrian National Revolutionary Command

HASSAN AL-BAKR
Prime Minister of Iraq

SPEECH by the Soviet Prime Minister, Mr. Khrushchev, on East-West Relations and the question of Germany.—East Berlin, 2nd July, 1963(1)

(Extracts).

In the West much is being said and written about the so-called *Wirtschaftswunder* in Western Germany. One must give their due to the work and ability of the people of Western Germany. They have indeed devoted great energy to the rehabilitation and advancement of their economy.

In the conditions of capitalism, however, the wealth which is created by the workers and peasants is appropriated by a mere handful of monopolisits. Western Germany cannot avoid the contradictions which are inherent in capitalism . . .

It should also be borne in mind that Western Germany had a ready-made raw material base, metallurgy and heavy industry, which before the war constituted the foundation for the economy of the whole of Germany. That is how this temporary advance was born—an advance which western propaganda eagerly tried to palm off as being almost a refutation of the theories of Marx.

The working people of Eastern Germany had to begin the restoration of their economy in more difficult conditions than in Western Germany. New sources of raw materials and other materials had to be found ; the iron and steel base and many other branches of industry had virtually to be built up anew, and hundreds and thousands of destroyed enterprises had to be rebuilt.

All this was a task of tremendous complexity and difficulty. And in spite of all this, the German Democratic Republic is today one of the most powerful industrial states in Europe and the whole world—as regards the volume of industrial output it is among the top ten most highly-developed countries from the industrial point of view.

Any objective person will say that if there is to be talk of an economic miracle, then it has happened precisely here, in the German Democratic Republic. It has become possible

(1) Published in *Soviet News*, 3rd July, 1963. Mr. Khrushchev was addressing a rally in East Berlin.

only because the people have taken power into their hands and become the masters of their destiny. This miracle has become possible because there exists the powerful socialist community with which your country is linked by the firm ties of fraternal co-operation . . .

You know what a feat of labour the Soviet people and the peoples of the other socialist countries have accomplished. All the "miracles" of the capitalist world fade in face of this exploit.

We are firmly convinced that in the future, too, the economic development of the German Democratic Republic will advance, at a still more rapid pace. There are all the necessary conditions and possibilities for this. You have, in the main, overcome the great disproportions in the economy caused by the partition of the country and the breaking up of the neutral economic structure and contacts.

Your Republic is now systematically being supplied with the principal raw materials and other materials on the basis of co-operation with the Soviet Union and other socialist countries. Now you have good cadres of economic leaders who have already acquired great experience in organising production and have learned to administer the economy in a socialist way . . .

As a result of the successful development of the socialist countries, opportunities have now emerged for a more profound co-ordination of our economic plans. And that is why the dislocated economic relations between the German Democratic Republic and Western Germany will not only be fully compensated for now by co-operation with the socialist countries, but the economy of the German Democratic Republic will receive inexhaustible reserves and potentialities—both raw material and industrial reserves and potentialities—for new and remarkable successes. The development of economic co-operation between the socialist countries is a powerful factor speeding up our common advance.

All this enables us to believe that the time is not distant when the German Democratic Republic will begin to surpass Western Germany in all the main economic indices. Indeed, I repeat, and this is not a slip of the tongue, the German Democratic Republic will indeed outdistance Western Germany, and this period has already begun. This will be an

outstanding contribution by the working people of the German Democratic Republic to the struggle of the socialist community for victory over the capitalist world in economic competition. We have warned, and we continue to warn our opponents: No matter how hard you try, you will lag behind the socialist countries! . . .

The Soviet Union, the German Democratic Republic, and all the socialist countries are vitally interested in the complete elimination of tensions, in the establishment of stable good-neighbourly relations among all European countries. We want all the nations in Europe, and also throughout the world, to be able to look calmly into the future and to devote themselves to peaceful labour.

We uphold the policy of peaceful co-existence between states with different social systems, both on a global scale and as applicable to various regions of the world. One cannot speak of the establishment of lasting peace throughout the world, if hotbeds of tension are constantly maintained in various parts of it. This refers to all regions of the world, including such an important region as Europe . . .

Eighteen years have gone by since the end of the war. The wounds inflicted by the war will continue to make themselves felt for many years. Now, however, they have already healed to some extent; the pain inflicted on people by the war has been somewhat blunted. The Soviet and German peoples, the peoples of the whole of Europe and of the entire world, must do everything necessary for the final healing of these wounds and the removal of the pain for all time . . .

The Soviet Union maintains fraternal relations with the German Democratic Republic; it maintains diplomatic relations with the Federal Republic of Germany. Our country, true to its policy of peace, is interested in the relations between the Soviet Union and Western Germany developing along the road of trust and co-operation. I believe that the German people, too, are profoundly interested in stable and friendly relations with our country, with all the socialist countries.

If we look at the not so distant past we can see an example of precisely such a development of relations between the Soviet Union and Germany. There was a time after the First World War when German statesmen mustered the strength and

courage to acknowledge that friendly relations between Germany and the Soviet Union would benefit both countries, both peoples. They were able to overcome the obstacles of the Versailles Peace Treaty, and good relations were established between our countries. That was a wise act of statesmanship.

What harm did this do to Germany, to her economy? None whatsoever. On the contrary, German industry began to receive orders from the Soviet Union, and this made it possible to restore and develop Germany's economy. The establishment of mutually-beneficial economic contacts with the Soviet Union enabled Germany to make fuller use of the capacities of her economy and to give jobs to German workers.

These economic relations also benefited the Soviet Union . . .

In western countries they are still continuing the outcry over the so-called Berlin Wall. But what the West calls a "wall" is the lawful frontier of the German Democratic Republic. It enables the working people of the German Democratic Republic to curb the provocative activities against their country and other socialist states. And this means that the so-called Berlin Wall is helping the cause of normalising relations between states, is helping the cause of peace.

It is high time, at long last, to take a sober look at things. It is necessary to realise that the German Democratic Republic is not a myth but an actual state, which has its own government and its own laws, its own system and its own frontiers. Every sovereign state has the right to safeguard and control its frontiers.

There are many persons who cry out that the border in Berlin interferes with communication between the population of West Berlin and the residents of the capital of the German Democratic Republic. But this is not true. Such claims can come only from people who would like to use entry into the G.D.R. for unlawful activity directed against the people's interests.

We know that the working people of socialist Germany give a warm and hospitable welcome to those who really want to establish friendly exchanges and to communicate with the working people of the German Democratic Republic, who come here with pure hearts and open souls. If difficulties do exist in communication between the population of West Berlin and

the residents of the capital of the German Democratic Republic, the blame rests with the occupation authorities and with the authorities of West Berlin. . . .

Quite recently Chancellor Adenauer, his hanger-on Brandt, who calls himself a socialist, and other reactionaries of Western Germany and West Berlin invited the American President to visit West Berlin. There is nothing bad in the actual fact of Mr. Kennedy's coming to West Berlin. Such a visit might have been welcomed, had it been a visit paid with good intentions. But those who invited the President did not do so, of course, with praiseworthy considerations. They wanted to have their unreasonable revenge-seeking aspirations reinforced.

That is precisely why the President was accompanied by the outgoing Chancellor and other West German politicians who, in actual fact, have nothing to do with West Berlin since, as has been repeatedly stated by us and our allies, West Berlin is not a part of Western Germany. Judging by press reports, the American President did not immediately agree to travel to West Berlin in the company of the outgoing Chancellor. Apparently he realised that such company could not fail to cast a shadow on his trip.

The fact that Mr. Kennedy met the aspirations of the West German revenge-seekers half way, cannot but disappoint those who would like to see confirmation of the President's recent speech at the American University in Washington(2), which was notable for its sober appraisal of the international situation In his speech he spoke about the need to revise and improve relations with the Soviet Union, to ease international tensions and end the state of cold war.

Only 13 days have gone by since the day when that speech was made. The President of the United States came to Western Germany and then to West Berlin and began to make absolutely different speeches there.(3) If one reads what he said in Western Germany, and especially in West Berlin, and compares this with the speech at the American University, one might think that the speeches were made by two different Presidents.

(2) Delivered 10th June, 1963. Text published in U.S. Department of State *Bulletin*, 1st July, 1963.

(3) *See* page 402.

It is hard to imagine how one and the same man can, within such a brief period and in conditions in which there have been no essential changes in the international situation, make speeches containing statements which are in complete contradiction with one another.

What is the reason for this? The reason is a very dangerous symptom. The President of the United States is competing with the President of France in courting the old West German widow. Both are trying to win her heart which has already grown cold and which often prompts the owner to utterly unconstructive thoughts. And if this widow is being courted in the way which these two wooers are employing, each drawing her to his heart, then the widow may become conceited and think that the solution of world problems really depends on her. In actual fact, little now depends on her. Wooing of this kind leads only to tension and to a very dangerously tense situation in the world.

This is borne out, for instance, by the nuclear policy of the United States. It is imposing these nuclear weapons on its allies under the signboard of the so-called NATO multilateral force. And this is being done although some of those allies have refused to take part in setting up such a nuclear force. Why is all this being done? It is being done, above all, in order to satisfy the desire of the West Berlin revenge-seekers, blinded as they are by hatred of communism, to receive nuclear weapons. Such a policy can lead to disastrous consequences.

By his speeches in West Berlin the President of the United States has scarcely convinced anyone that his position is correct and has not scared anyone by his support for the revenge-seeking leaders of Western Germany and West Berlin. He has only added poison to the international atmosphere, poisoned as it already is by the imperialists.

In order to make such anti-communist speeches as he did in Western Germany and West Berlin, the American President apparently made a thorough study of the speeches of the late Secretary of State Dulles, who dictated his will in the White House. Does the President of the United States plan to return now to the bankrupt policy that was proclaimed by Dulles when he was in power? . . .

We believe that the West German people will be realistic in understanding the situation, will realise what tremendous danger lies in the policy of revenge, will take their destinies into their own hands and will press for a policy which is in keeping with their own vital interests. And the vital interests of the German working people prompt them to the necessity of improving relations with the Soviet Union, with all the socialist countries, which want peace to be safeguarded. . . .

It was precisely a sober realisation of the outcome of a modern war that led a politician like President de Gaulle of France to the sober statement that Germany's eastern frontiers are immutable. The same is said by some statesmen in America, Britain and other NATO countries. Some of them state this publicly, others admit it in talks, at meetings with statesmen of socialist countries. . . .

In the first place, there are no insurmountable barriers between the Soviet Union and the Federal Republic of Germany that would preclude the possibility of co-operation between our countries. Of course, we stand at different ideological poles. There are different social systems in our countries. This, however, does not only divide the Soviet Union and the socialist countries on the one hand, and the Federal Republic of Germany on the other. The social and political division lies between two different systems—the socialist and capitalist systems—and not only Western Germany, but the United States, France, Britain, Italy and many other countries as well, belong to the capitalist system.

In these conditions there is only one reasonable road for relations between states with different social systems—the road of peaceful co-existence, peaceful economic competition. But if differences in the social and political systems do not prevent other capitalist countries from developing co-operation with the Soviet Union and other socialist countries, why can't Western Germany take to this road? . . .

Naturally, when a trading partner ostentatiously refuses to fulfil orders agreed upon earlier, this is a far cry from conscientiousness in commercial matters. Characteristic in this respect is the recent story of the pipes. The oil monopolies of the United States forced the Federal Republic of Germany

to refuse to deliver large-diameter pipes to the Soviet Union. Such actions, naturally, did not create insurmountable problems for us. Soviet enterprises increased the output of pipes. . . .

Formerly, when the border between the German Democratic Republic and West Berlin was not controlled, it was to the advantage of the imperialists to preserve the vestiges of the Second World War in order to conduct subversive activities against the G.D.R. and other socialist countries. Now that a firm, controlled and guarded border has been established(4) the imperialists have lost this advantage. Now it might be said, perhaps, that the West, too, should be no less interested in the signing of a peace treaty.

The aggressive circles of the western powers, however, do not want this. They are doing everything in their power to prevent the signing of a German peace treaty. The enemies of a peace settlement with Germany fear, as the devil fears holy water, that in the event of a peace treaty being signed, the West German population would realise the entire senselessness of continuing the cold war against the German Democratic Republic and other socialist countries. The reactionary circles oppose a peace treaty because they fear the disintegration of the aggressive grouping of the NATO bloc.

If we add to this the fact that the socialist countries have repeatedly expressed their readiness, not only to sign a peace treaty, but also to conclude a non-aggression pact between the two principal groupings—the Warsaw Treaty countries and the NATO countries—it becomes quite obvious who really stands for a peace settlement and who is hatching plots for military adventures and fostering the cold war. . . .

Comrades, I should like to speak about the question of ending nuclear tests. It will be remembered that the resumption of talks has been planned for mid-July in Moscow. The thought, of course, arises everywhere: Will a test-ban agreement be concluded now, at long last? This is a legitimate interest, and I should like to explain our views on this subject.

The Soviet government has more than once expressed its readiness, without any delay, to sign a treaty banning all nuclear

(4) *See* Vol. 166, pages 255 and 407.

tests for all time—I repeat, all nuclear tests, no matter where they are held. Many years ago we already raised the question of banning nuclear weapons and banning tests of those weapons.

However, the western powers, and above all the United States, do not accept such an agreement. They are endlessly stalling in the discussions, putting forward various artificial pretexts in order to evade the ending of all nuclear tests. They are insisting most obstinately on international inspections.

It has been proved by science and fully confirmed by practice that there is no need whatsoever for any inspections to control the ending of tests, including underground tests. The national facilities for detecting nuclear explosions at the disposal of states, all the more so if they are combined with automatic seismic stations, whose installation we accept, guarantee reliable control over the ending of all tests. All this notwithstanding, the western powers stubbornly link a solution to the problem of ending nuclear tests with so-called international inspections. . . .

The Soviet government is convinced that the early conclusion of an agreement banning all nuclear tests—in the atmosphere, in outer space, under water and underground—is in the interests of the peoples. However, this is now obviously impossible in view of the attitude of the western powers.

Carefully analysing the existing situation, the Soviet government, prompted by a high sense of responsibility for the destinies of the peoples, declares that since the western powers are obstructing the conclusion of an agreement banning all nuclear tests, the Soviet government expresses its willingness to conclude an agreement banning nuclear tests in the atmosphere, in outer space and under water. We have made this proposal before, but the western powers frustrated an agreement by putting forward supplementary conditions which envisaged large-scale inspection of our territory.

If the western powers now agree to this proposal, the question of inspection no longer arises, for the western powers declare that no inspections whatsoever are needed to check the fulfilment by the states of their commitments to stop nuclear tests in the atmosphere, in outer space and under water. Consequently the road to a solution of the problem is open. The Soviet

Government expresses the hope that the western powers, heeding the aspirations of the peoples, will adopt a positive attitude towards this proposal of the Soviet Government. . . .

Of course, an agreement on the ending of nuclear tests, notwithstanding all the importance of this major act, cannot stop the arms race, cannot avert or even substantially reduce the danger of thermonuclear war.

That is why the Soviet government believes that already now, at the conclusion of a test-ban agreement, it is also necessary to take another big step towards easing international tension and strengthening confidence between states—to sign a non-aggression pact between the two main military groupings of states—the N.A.T.O. countries and the Warsaw Treaty states. The Soviet Union and other socialist countries have been proposing such a pact for a number of years. We note with satisfaction that this proposal is enlisting increasing international support, including support in some N.A.T.O. countries. The time has now come to carry out this proposal.

A test-ban agreement, combined with the simultaneous signing of a non-aggression pact between the two groupings of states, will create a new international climate, more favourable for a solution to major problems of our time, including disarmament.

These problems affect the interests of the broadest masses of the people. That is precisely why the communists are urging all peoples, all sections of the population, irrespective of their political views and convictions, to rally in the common struggle to prevent another world war, to maintain lasting peace between states. . . .

MESSAGE to President Johnson from Mr. Khrushchev on President Kennedy's assassination.—Moscow, 23rd November, 1963[1]

I am deeply saddened by the news of the tragic death of the eminent statesman, John Fitzgerald Kennedy, President of the United States of America.

(1) U.S. Department of State *Bulletin*, 9th December, 1963, page 889.

The death of J. F. Kennedy is a heavy blow to all people who value world peace and Soviet-American cooperation.

The dastardly assassination of the President of the United States at a time when, as a result of the efforts of peace-loving peoples, there were noticeable signs of a relaxation of tension and prospects were opening up for an improvement in relations between the U.S.S.R. and the U.S.A., arouses the indignation of the Soviet people against the perpetrators of this infamous crime. From my personal meetings with J. F. Kennedy I remember him as a statesman of broad views, with a realistic grasp of the situation, striving to find a way to settle by means of negotiation the international problems now dividing the world.

The Soviet Government and the Soviet people share in the sorrow of the American people on the occasion of this great loss, and express the hope that the search for a settlement of the questions at issue, to which President J. F. Kennedy greatly contributed, will be continued in the interest of peace and the good of all mankind.

Accept, Mr. President, the expression of my personal sympathy.

N. KHRUSHCHEV

Chairman, Council of Ministers of the U.S.S.R.

MEMORANDUM OF UNDERSTANDING between the Soviet Union and the United States of America regarding the Establishment of a Direct Communications Link, with Annex.—Geneva, 20th June, 1963[1]

For use in time of emergency the Government of the United States of America and the Government of the Union of Soviet Socialist Republics have agreed to establish as soon as technically feasible a direct communications link between the two Governments.

Each Government shall be responsible for the arrangements for the link on its own territory. Each Government shall take the necessary steps to ensure continuous functioning of the link

(1) U.S. *Treaties and other International Acts Series* No. 5362.

and prompt delivery to its head of government of any communications received by means of the link from the head of government of the other party.

Arrangements for establishing and operating the link are set forth in the Annex which is attached hereto and forms an integral part hereof.

Done in duplicate in the English and Russian languages at Geneva, Switzerland, this 20th day of June, 1963.

For the Government of the United States of America:

(L.S.) CHARLES C. STELLE

Acting Representative of the United States of America to the Eighteen-Nation Committee on Disarmament.

For the Government of the Union of Soviet Socialist Republics:

(L.S.) SEMYON K. TSARAPKIN

Acting Representative of the Union of Soviet Socialist Republics to the Eighteen-Nation Committee on Disarmament.

ANNEX

The direct communications link between Washington and Moscow established in accordance with the Memorandum, and the operation of such link, shall be governed by the following provisions:

1. The direct communications link shall consist of:

a. Two terminal points with telegraph-teleprinter equipment between which communications shall be directly exchanged;

b. One full-time duplex wire telegraph circuit, routed Washington-London-Copenhagen-Stockholm-Helsinki-Moscow, which shall be used for the transmission of messages;

c. One full-time duplex radio telegraph circuit, routed Washington-Tangier-Moscow, which shall be used for service communications and for co-ordination of operations between the two terminal points.

If experience in operating the direct communications link should demonstrate that the establishment of an additional wire telegraph circuit is advisable, such circuit may be established by mutual agreement between authorised representatives of both Governments.

2. In case of interruption of the wire circuit, transmission of messages shall be effected via the radio circuit, and for this purpose provision shall be made at the terminal points for the capability of prompt switching of all necessary equipment from one circuit to another.

3. The terminal points of the link shall be so equipped as to provide for the transmission and reception of messages from Moscow to Washington in the Russian language and from Washington to Moscow in the English language. In this connection, the U.S.S.R. shall furnish the United States four sets of telegraph terminal equipment, including page printers, transmitters, and reperforators, with one year's supply of spare parts and all necessary special tools, test equipment, operating instructions, and other technical literature, to provide for transmission and reception of messages in the Russian language.

The United States shall furnish the Soviet Union four sets of telegraph terminal equipment, including page printers, transmitters, and reperforators, with one year's supply of spare parts and all necessary special tools, test equipment, operating instructions and other technical literature, to provide for transmission and reception of messages in the English language.

The equipment described in this paragraph shall be exchanged directly between the parties without any payment being required therefor.

4. The terminal points of the direct communications link shall be provided with encoding equipment. For the terminal point in the U.S.S.R., four sets of such equipment (each capable of simplex operation), with one year's supply of spare parts, with all necessary special tools, test equipment, operating instructions and other technical literature, and with all necessary blank tape, shall be furnished by the United States to the U.S.S.R. against payment of the cost thereof by the U.S.S.R.

The U.S.S.R. shall provide for preparation and delivery of keying tapes to the terminal point of the link in the United States for reception of messages from the U.S.S.R. The United States shall provide for the preparation and delivery of keying tapes to the terminal point of the link in the U.S.S.R. for reception of messages from the United States. Delivery of prepared keying tapes to the terminal points of the link shall be effected through the Embassy of the U.S.S.R. in Washington

(for the terminal of the link in the U.S.S.R.) and through the Embassy of the United States in Moscow (for the terminal of the link in the United States).

5. The United States and the U.S.S.R. shall designate the agencies responsible for the arrangements regarding the direct communications link, for its technical maintenance, continuity and reliability, and for the timely transmission of messages.

Such agencies may, by mutual agreement, decide matters and develop instructions relating to the technical maintenance and operation of the direct communications link and effect arrangements to improve the operation of the link.

6. The technical parameters of the telegraph circuits of the link and of the terminal equipment, as well as the maintenance of such circuits and equipment, shall be in accordance with CCITT(2) and CCIR(3) recommendations.

Transmission and reception of messages over the direct communications link shall be effected in accordance with applicable recommendations of international telegraph and radio communications regulations, as well as with mutually agreed instructions.

7. The costs of the direct communications link shall be borne as follows:

(*a*) The U.S.S.R. shall pay the full cost of leasing the portion of the telegraph circuit from Moscow to Helsinki and 50% of the cost of leasing the portion of the telegraph circuit from Helsinki to London. The United States shall pay the full cost of leasing the portion of the telegraph circuit from Washington to London and 50% of the cost of leasing the portion of the telegraph circuit from London to Helsinki.

(*b*) Payment of the cost of leasing the radio telegraph circuit between Washington and Moscow shall be effected without any transfer of payments between the parties. The U.S.S.R. shall bear the expenses relating to the transmission of messages from Moscow to Washington. The United States shall bear the expenses relating to the transmission of messages from Washington to Moscow.

(2) International Telegraph and Telephone Consultative Committee.
(3) International Radio Consultative Committee.

JOINT DECLARATION between Spain and the United States of America concerning the renewal of the Defence Agreement of 26 September, 1953, with Notes.—New York/ Washington, 26th September, 1963[1]

JOINT DECLARATION

The Governments of the United States of America and of Spain have engaged in discussions regarding their mutual security interests and their future relations in political, military and economic matters of common concern. In affirming the importance of their bilateral Defense Agreement[2], which will be applied in the new five-year period of its validity in the spirit of this Declaration, they consider it to be necessary and appropriate that the Agreement form a part of the security arrangements for the Atlantic and Mediterranean areas.

The United States Government reaffirms its recognition of the importance of Spain to the security, well-being and development of the Atlantic and Mediterranean areas. The two governments recognize that the security and integrity of both the United States and Spain are necessary for the common security. A threat to either country, and to the joint facilities that each provides for the common defense, would be a matter of common concern to both countries, and each country would take such action as it may consider appropriate within the framework of its constitutional processes.

The two governments, on behalf of the peoples of the United States and of Spain, have reaffirmed their friendship and mutual trust, and their determination to establish a close cooperation in order to strengthen the common defense, and to continue regular consultations on all political, military and economic matters of common interest. The two governments have similarly affirmed their desire to encourage economic growth and the expansion of trade and other economic relations among nations. They have reaffirmed their recognition of the common dangers, and their determination to maintain a close working relationship on all matters affecting their common interests and security.

(1) U.S. *Treaties and other International Acts Series* No. 5437.
(2) Vol. 160, page 755.

In order to assure continuing joint consultations on certain special matters of interest to them, the two governments have agreed upon the arrangements set forth in an exchange of notes of this date.

DEAN RUSK
Secretary of State of the United States of America

FERNANDO CASTIELLA
Minister of Foreign Affairs of Spain

NEW YORK, *September 26, 1963.*

(No. 1)—*The United States Secretary of State to the Minister of Foreign Affairs of Spain*

Department of State,
Washington.

September 26, 1963.

Excellency:

I have the honor to refer to discussions which have recently taken place concerning the mutual desire of the Government of the United States of America and the Government of Spain to develop arrangements, within the limits of their respective constitutional processes, which would enable the two Governments, through liaison and consultation on defense matters of mutual concern, and in accordance with the spirit of the Joint Declaration of this date, to carry out more effectively the specified purposes and objectives of the Defense Agreement of September 26, 1953, and its attendant technical and procedural agreements, and thereby improve and enhance their common defense; and to confirm the understandings reached as a result of these discussions, as follows:

1. There is hereby established a joint United States-Spanish Consultative Committee on Defense Matters with headquarters in Madrid.

2. The Committee for the sessions cited in numbered paragraph 4 shall be composed of:

(*a*) For Spain:

(1) Co-chairman of the Committee: The designee of the Spanish Government.

(2) Members: The designees of the Spanish Government.

(*b*) For the United States:

(1) Co-chairman of the Committee: The Chief of the Joint United States Military Group.

(2) Members: The Commanding General 16th Air Force, the Commander United States Naval Activities in Spain, the Commander 65th Air Division, and the Deputy Chief, United States Military Assistance Advisory Group.

3. The Committee and members thereof shall be assisted by such staff, military or civilian, as they consider appropriate.

4. The Committee shall in principle meet at monthly intervals, to consider military matters of mutual concern, so as to develop and improve through continuing military cooperation the security and effectiveness of jointly utilized facilities in Spain. The United States Ambassador to Spain, or his designee, may participate in its deliberations.

5. At the request of either Government special meetings of the Committee may be held from time to time in Madrid or in Washington which may be attended by the Foreign or other Ministers, or other high officials, of either Government.

6. The Committee by agreement between the Co-chairmen shall decide on matters within its competence as defined in paragraph 4 above and, when necessary, will recommend to the respective Governments how best to resolve in the mutual interest of the two countries such problems as may arise in connection with the operation of the facilities in Spain provided under the terms of agreements between the two Governments, matters arising from the operation of the Mutual Defense Assistance Agreement[2], and such other matters as either Government may direct the Committee to consider.

7. All Committee deliberations shall be held in closed session and the release of any public information shall be as mutually agreed by the Co-chairmen.

8. The Spanish Government shall provide suitable offices for the Committee. The Co-chairmen shall decide upon the necessary clerical and administrative support, the keeping of permanent records of the Committee, and the functioning of a joint military secretariat.

If the foregoing is acceptable to Your Excellency's Government, I have the honor to propose that this note and Your Excellency's reply indicating concurrence shall constitute an agreement between our two Governments on this matter.

Accept &c.

DEAN RUSK

(No. 2)—*The Minister of Foreign Affairs of Spain to the United States Secretary of State*

(Translation)

Washington, September 26, 1963.

Mr. Secretary of State:

I have the honor to acknowledge receipt of your note of this date which reads as follows:

[As in No. 1]

I have the honor to inform Your Excellency that the Spanish Government agrees to the foregoing text.

I avail, &c.

FERNANDO CASTIELLA

(No. 3)—*The Minister of Foreign Affairs of Spain to the United States Secretary of State*

(Translation)

Washington, September 26, 1963.

Mr. Secretary of State:

The importance of the renewal for five years of the Defense Agreement of September 26, 1953, between the Governments of the United States and Spain has been reaffirmed by the Joint Declaration of this date. The Spanish Government wishes

to express its satisfaction with the spirit of friendship and cooperation that has prevailed during the past ten years in the relationship between the armed forces of Spain and the United States and is confident that this same spirit will continue during the new term of the Agreement.

The Spanish Government understands that the United States Government, subject to Congressional action, will provide support, at an appropriate level, to the Spanish defense effort, by making available military assistance to the Spanish armed forces.

The Spanish Government is confident that the continuation of a close technical and scientific relationship between both countries would contribute to the achievement of a rapid and efficient modernization of the Spanish armed forces and military industries, within the framework of the economic and financial possibilities of Spain.

I avail, &c.

FERNANDO CASTIELLA

(No. 4)—*The United States Secretary of State to the Minister of Foreign Affairs of Spain*

Washington, September 26, 1963

Dear Mr. Minister,

The United States Government is pleased to acknowledge receipt of your letter of this date concerning the spirit of friendship and co-operation that has prevailed during the past ten years in the relationship between the armed forces of Spain and the United States. The United States Government appreciates the sentiments set forth in your letter and wishes to report, on its part, its complete satisfaction with the relationship.

In connection with the renewal for five years of the Defense Agreement of September 26, 1953, the United States Government confirms the understanding of the Spanish Government that, subject to Congressional action, the United States Government will provide support to the Spanish defense efforts, at an appropriate level, by making available military assistance to the Spanish armed forces. The United States Government also looks forward to the continuation, within the framework

of this military assistance program, of a close technical and scientific relationship between both countries which would contribute to the achievement of a rapid and efficient modernization of the Spanish armed forces and military industries.

Sincerely yours,

DEAN RUSK

JOINT THAI-UNITED STATES STATEMENT regarding the defence of Thailand.—Washington, 6th March, 1962[1]

The Foreign Minister of Thailand, Thanat Khoman, and the Secretary of State, Dean Rusk, met on several occasions during the past few days for discussions on the current situation in Southeast Asia, the Southeast Asia Collective Defense Treaty[2] and the security of Thailand.

The Secretary of State reaffirmed that the United States regards the preservation of the independence and integrity of Thailand as vital to the national interest of the United States and to world peace. He expressed the firm intention of the United States to aid Thailand, its ally and historic friend, in resisting Communist aggression and subversion.

The Foreign Minister and the Secretary of State reviewed the close association of Thailand and the United States in the Southeast Asia Collective Defense Treaty and agreed that such association is an effective deterrent to direct Communist aggression against Thailand. They agreed that the Treaty provides the basis for the signatories collectively to assist Thailand in case of Communist armed attack against that country. The Secretary of State assured the Foreign Minister that in the event of such aggression, the United States intends to give full effect to its obligations under the Treaty to act to meet the common danger in accordance with its constitutional processes. The Secretary of State reaffirmed that this obligation of the United States does not depend upon the prior agreement of all other parties to the Treaty, since this Treaty obligation is individual as well as collective.

(1) U.S. Department of State *Bulletin*, 26 March, 1962, pages 498-499.
(2) Vol. 161, page 365.

In reviewing measures to meet indirect aggression, the Secretary of State stated that the United States regards its commitments to Thailand under the Southeast Asia Collective Defense Treaty and under its bilateral economic and military assistance agreements with Thailand as providing an important basis for United States actions to help Thailand meet indirect aggression. In this connection the Secretary reviewed with the Foreign Minister the actions being taken by the United States to assist the Republic of Viet-Nam to meet the threat of indirect aggression.

The Foreign Minister assured the Secretary of State of the determination of the Government of Thailand to meet the threat of indirect aggression by pursuing vigorously measures for the economic and social welfare and the safety of its people.

The situation in Laos was reviewed in detail and full agreement was reached on the necessity for the stability of Southeast Asia, of achieving a free, independent and truly neutral Laos.

The Foreign Minister and the Secretary of State reviewed the mutual efforts of their governments to increase the capabilities and readiness of the Thai armed forces to defend the Kingdom. They noted also that the United States is making a significant contribution to this effort and that the United States intends to accelerate future deliveries to the greatest extent possible. The Secretary and the Foreign Minister also took note of the work of the Joint Thai-United States Committee which has been established in Bangkok to assure effective co-operation in social, economic and military measures to increase Thailand's national capabilities. They agreed that this Joint Committee and its sub-committees should continue to work toward the most effective utilization of Thailand's resources and those provided by the United States to promote Thailand's development and security.

The Foreign Minister and the Secretary were in full agreement that continued economic and social progress is essential to the stability of Thailand. They reviewed Thailand's impressive economic and social progress and the Thai Government's

plans to accelerate development, particularly Thailand's continuing determination fully to utilize its own resources in moving toward its development goals.

The Foreign Minister and the Secretary of State also discussed the desirability of an early conclusion of a treaty of friendship, commerce and navigation between the two countries which would bring into accord with current conditions the existing treaty of 1937(3).

(3) Vol. 141, page 1214.

RESOLUTION of the United Nations Security Council on Apartheid in South Africa.—New York, 7th August, 1963(1)

The Security Council,

Having considered the question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Republic of South Africa, as submitted by the thirty-two African Member states,

Recalling Security Council resolution S/4300 of 1 April 1960,

Taking into account that world public opinion has been reflected in General Assembly resolution 1761 (XVII)(2) and particularly in its paragraphs 4 and 8,

Noting with appreciation the two interim reports of the Special Committee on the policies of *apartheid* of the Government of South Africa contained in documents S/5310 of 9 May and S/5353 of 17 July 1963,

Noting with concern the recent arms build-up by the Government of South Africa, some of which arms are being used in furtherance of that Government's racial policies,

Regretting that some States are indirectly providing encouragement in various ways to the Government of South Africa to perpetuate, by force, its policy of *apartheid,*

(1) U.N. Security Council Resolution 181 (1963), Document S/5386. The Resolution was adopted by a vote of 9–0, with two abstentions (France and the United Kingdom).

(2) Vol. 166, page 996.

Regretting the failure of the Government of South Africa to accept the invitation of the Security Council to delegate a representative to appear before it,

Being convinced that the situation in South Africa is seriously disturbing international peace and security,

1. *Strongly deprecates* the policies of South Africa in its perpetuation of racial discrimination as being inconsistent with the principles contained in the Charter of the United Nations and contrary to its obligations as a Member State of the United Nations ;

2. *Calls upon* the Government of South Africa to abandon the policies of *apartheid* and discrimination as called for in the previous Security Council resolution of 1 April 1960, and to liberate all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of *apartheid* ;

3. *Solemnly calls upon* all States to cease forthwith the sale and shipment of arms, ammunition of all types and military vehicles to South Africa ;

4. *Requests* the Secretary-General to keep the situation in South Africa under observation and to report to the Security Council by 30 October 1963.

RESOLUTION of the United Nations General Assembly on the question of Southern Rhodesia.—Adopted New York, 14th October, 1963[1]

The General Assembly,

Having examined the situation in Southern Rhodesia,

Recalling its resolutions 1514 (XV) of 14 December 1960[2], 1747 (XVI) of 28 June 1962[3] and 1760 (XVII) of 31 October 1962[4], and the resolution adopted on 20 June 1963 by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

(1) U.N. General Assembly Resolution 1883 (XVIII).
(2) Vol. 164, page 800.
(3) Vol. 166, page 975.
(4) Vol. 166, page 995.

Noting that the Special Committee has drawn the attention of the Security Council to the deterioration of the explosive situation which prevails in the Non-Self-Governing Territory of Southern Rhodesia,

Recognising that the practice of racial discrimination is incompatible with the principles of the Charter of the United Nations and should be condemned wherever it occurs.

Recognising that the present Government in Southern Rhodesia came to power as a result of an undemocratic and discriminatory constitution imposed on the population of Southern Rhodesia and opposed by the overwhelming majority of that population,

Considering that the transfer to that Government of the powers and attributes of sovereignty, in particular the control and operation of military forces and arms, would aggravate an already explosive situation,

Noting that the Security Council has considered this question(5),

1. *Invites* the Government of the United Kingdom of Great Britain and Northern Ireland not to transfer to its colony of Southern Rhodesia, as at present governed, any of the powers or attributes of sovereignty, but to await the establishment of a government fully representative of all the inhabitants of the colony;

2. *Invites* the Government of the United Kingdom not to transfer armed forces and aircraft to its colony of Southern Rhodesia, as envisaged by the Central African Conference held in 1963;

3. *Further invites* the Government of the United Kingdom to put into effect the General Assembly resolutions on the question of Southern Rhodesia, in particular resolutions 1747 (XVI) and 1760 (XVII).

(5) On September 13 the United Kingdom vetoed a resolution (U.N. doc. S/5425/Rev. 1) submitted on September 11 to the Security Council by Ghana, Morocco and the Philippines.

RESOLUTION of the United Nations General Assembly on the financing of Military Assistance for the Congo (Leopoldville).—Adopted New York, 18th October, 1963[1]

The General Assembly,

Recalling the Security Council resolutions of 14 July 1960[2], 22 July 1960[3], 9 August 1960[4], 21 February 1961[5] and 24 November 1961[6], and General Assembly resolutions 1474 (ES-IV) of 20 September 1960, 1583 (XV) of 20 December 1960, 1595 (XV) of 3 April 1961, 1599 (XV)[7], 1600 (XV)[8] and 1601 (XV) of 15 April 1961, 1619 (XV) of 21 April 1961, 1633 (XVI) of 30 October 1961, 1732 (XVI) of 20 December 1961 and 1876 (S-IV) of 27 June 1963,

Having considered the request of the Government of the Republic of the Congo (Leopoldville) for reduced military assistance up to 30 June 1964, as referred to at the 1007th meeting of the Fifth Committee, on 25 September 1963,

Having noted the support given to the request, particularly by the independent African States,

Having considered the report of the Secretary-General on the cost estimates of the United Nations Operation in the Congo for the period 1 January to 30 June 1964 and the report of the Advisory Committee on Administrative and Budgetary Questions thereon.

Having considered that the Secretary-General would like the General Assembly to act in this matter as soon as possible in view of logistic and supply problems in connexion with the maintenance of the United Nations Force in the Congo.

1. *Decides* to continue the *Ad Hoc* Account for the United Nations Operation in the Congo until 30 June 1964 ;

2. *Authorises* the Secretary-General to expend up to $18·2 million for the present phase of the United Nations Operation in the Congo during the period 1 January to 30 June 1964 ;

(1) U.N. General Assembly Resolution 1885 (XVIII).
(2) Vol. 164, page 725.
(3) U.N. Document S/4405.
(4) U.N. Document S/4426.
(5) Vol. 166, page 487.
(6) Vol. 166, page 520.
(7) Vol. 166, page 493.
(8) Vol. 166, page 494.

3. *Decides* that in connexion with any necessary expenditures after 30 June 1964 relating to the disposal of United Nations-owned equipment and supplies and the termination of the United Nations Operation in the Congo, including the closing of the accounts, the Secretary-General, with the concurrence of the Advisory Committee on Administrative and Budgetary Questions, is authorised to utilise for these purposes after 30 June 1964, to the extent required, any balance remaining in the *Ad Hoc* Account for the United Nations Operation in the Congo as at 30 June 1964 and, notwithstanding the provisions of rule 111.9 of the Financial Rules of the United Nations, the proceeds from the sale or other disposition after 30 June 1964 of United Nations-owned property ;

4. *Decides* to appropriate an amount of $15 million for the United Nations Operation in the Congo for the period 1 January to 30th June 1964 ;

5. *Decides* to apportion:

(*a*) The amount of $3 million among all Member States in accordance with the regular scale of assessments for 1964,

(*b*) The $12 million balance of the amount appropriated in paragraph 4 above among all Member States in accordance with the regular scale of assessments for 1964, except that each economically less developed country shall be assessed an amount calculated at a maximum of 45 per cent. of its rate under the regular scale of assessments for 1964,

provided that this apportionment shall constitute an *ad hoc* arrangement for the financing of this final cost estimate for the United Nations Operation in the Congo and shall not constitute a precedent for any other peace-keeping operation ;

6. *Decides* that, for the purpose of the present resolution, the term " economically less developed countries " shall mean all Member States except Australia, Austria, Belgium, the Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, Denmark, Finland, France, Hungary, Iceland, Ireland, Italy, Japan, Luxembourg, the Netherlands, New Zealand, Norway, Poland, Romania, South Africa, Sweden, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America ;

7. *Recommends* that the Member States named in paragraph 6 above make voluntary contributions in addition to their assessments under the present resolution in order to finance authorised expenditures in excess of the total amount assessed under this resolution, such voluntary contributions to be credited to a special account by the Secretary-General and transferred to the *Ad Hoc* Account for the United Nations Operation in the Congo as and when an economically less developed country has once paid to the credit of the latter account its assessment under paragraph 5(*b*) above or an equal amount, the transfer to be of an amount which bears the same proportion to the total of such voluntary contributions as the amount of such payment bears to the total of the assessments on economically less developed countries under paragraph 5(*b*) ; any amount left in such special account on 31 December 1965 shall revert to the Member States that made such voluntary contributions in proportion to their respective voluntary contributions ;

8. *Appeals* to all other Member States which are in a position to assist to make similar voluntary contributions or alternatively to forgo having their assessments calculated at the rate mentioned in the exception contained in paragraph 5(*b*) above ;

9. *Decides* that the voluntary contributions referred to in paragraphs 7 and 8 above may be made by a Member State, at its option, in the form of services and supplies acceptable to the Secretary-General, furnished for use in connexion with the United Nations Operation in the Congo during the period 1 January to 30 June 1964, for which the Member State does not require reimbursement, the Member State to be credited with the fair value thereof as agreed upon by the Member State and the Secretary-General.

RESOLUTION of the United Nations General Assembly on the question of Southern Rhodesia. Adopted New York, 6th November, 1963[1]

The General Assembly,

Having examined the question of Southern Rhodesia,

(1) U.N. General Assembly Resolution 1889 (XVIII).

Recalling its resolutions 1514 (XV) of 14 December 1960(2), 1747 (XVI) of 28 June 1962(3) and 1760 (XVII) of 31 October 1962(4), the resolution adopted on 20 June 1963 b ythe Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and General Assembly resolution 1883 (XVIII) of 14 October 1963(5),

Having considered the report of the Special Committee on the question of Southern Rhodesia, in particular with regard to the continued denial to the vast majority of the African population of their basic political rights,

Bearing in mind the contents of the reports of the Secretary-General submitted on 19 December 1962 and 6 June 1963,

Bearing also in mind the oral petitions presented to the Fourth Committee,

Taking into consideration the decisions concerning decolonisation taken at the Summit Conference of Independent African States held in May 1963 at Addis Ababa, particularly those relating to Southern Rhodesia(6),

Deeply concerned at the explosive situation existing in Southern Rhodesia owing to the denial of political rights to the vast majority of the African population and the entrenchment of the minority régime in power,

Mindful of the aggravation of the situation in Southern Rhodesia, which constitutes a threat to international peace and security,

Being aware that the settler minority government of Southern Rhodesia has requested the Government of the United Kingdom of Great Britain and Northern Ireland to grant independence to the Territory under the 1961 Constitution, the abrogation of which has been requested by the General Assembly(7).

(2) Vol. 164, page 800.
(3) Vol. 166, page 975.
(4) Vol. 166, page 995.
(5) Page 378, above.
(6) *See* page 236.
(7) *See* Vol. 166, pages 975 and 995.

1. *Approves* the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, particularly its conclusions and recommendations, and expresses appreciation for its work ;

2. *Reaffirms* the inalienable right of the people of Southern Rhodesia to self-determination and independence ;

3. *Expresses its appreciation* to the Secretary-General for his efforts in connection with the question of Southern Rhodesia ;

4. *Expresses deep regret* that the Government of the United Kingdom of Great Britain and Northern Ireland has not implemented the various resolutions of the General Assembly on Southern Rhodesia ;

5. *Calls upon* the Government of the United Kingdom not to accede to the request of the present minority government of Southern Rhodesia for independence until majority rule based on universal adult suffrage is established in the Territory ;

6. *Once more invites* the Government of the United Kingdom to hold without delay a constitutional conference in which representatives of all political parties of the Territory will take part with a view to making constitutional arrangements for independence, on the basis of universal adult suffrage, including the fixing of the earliest possible date for independence ;

7. *Urges* all Member States, in particular those having the closest relations with the Government of the United Kingdom, to use their influence to the utmost with a view to ensuring the realisation of the legitimate aspirations of the people of Southern Rhodesia ;

8. *Requests* the Secretary-General to continue to lend his good offices to promote conciliation in the Territory, as stated in paragraph 4 of resolution 1760 (XVII), and to report both to the General Assembly during the eighteenth session and to the Special Committee on the results of his efforts ;

9. *Decides* to keep the question of Southern Rhodesia on the agenda of its eighteenth session.

RESOLUTION of the United Nations General Assembly adopting the Declaration on the Elimination of all forms of Racial Discrimination.—New York, 20th November, 1963(1)

The General Assembly,

Considering that the Charter of the United Nations(2) is based on the principles of the dignity and equality of all human beings and seeks, among other basic objectives, to achieve international co-operation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Considering that the Universal Declaration of Human Rights(3) proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out in the Declaration, without distinction of any kind, in particular as to race, colour or national origin,

Considering that the Universal Declaration of Human Rights proclaims further that all are equal before the law and are entitled without any discrimination to equal protection of the law and that all are entitled to equal protection against any discrimination and against any incitement to such discrimination,

Considering that the United Nations has condemned colonialism and all practices of segregation and discrimination associated therewith, and that the Declaration on the granting of independence to colonial countries and peoples(4) proclaims in particular the necessity of bringing colonialism to a speedy and unconditional end,

Considering that any doctrine of racial differentiation or superiority is scientifically false, morally condemnable, socially unjust and dangerous, and that there is no justification for racial discrimination either in theory or in practice,

(1) U.N. General Assembly Resolution 1904 (XVIII), adopted unanimously.
(2) Vol. 145, page 805.
(3) Vol. 151, page 604.
(4) Vol. 164, page 800.

Taking into account the other resolutions adopted by the General Assembly and the international instruments adopted by the specialized agencies, in particular the International Labour Organisation and the United Nations Educational, Scientific and Cultural Organisation, in the field of discrimination,

Taking into account the fact that, although international action and efforts in a number of countries have made it possible to achieve progress in that field, discrimination based on race, colour or ethnic origin in certain areas of the world continues none the less to give cause for serious concern,

Alarmed by the manifestations of racial discrimination still in evidence in some areas of the world, some of which are imposed by certain Governments by means of legislative, administrative or other measures, in the form, *inter alia*, of *apartheid*, segregation and separation, as well as by the promotion and dissemination of doctrines of racial superiority and expansionism in certain areas,

Convinced that all forms of racial discrimination and, still more so, governmental policies based on the prejudice of racial superiority or on racial hatred, besides constituting a violation of fundamental human rights, tend to jeopardize friendly relations among peoples, co-operation between nations and international peace and security,

Convinced also that racial discrimination harms not only those who are its objects but also those who practise it,

Convinced further that the building of a world society free from all forms of racial segregation and discrimination, factors which create hatred and division among men, is one of the fundamental objectives of the United Nations,

1. *Solemnly affirms* the necessity of speedily eliminating racial discrimination throughout the world, in all its forms and manifestations, and of securing understanding of and respect for the dignity of the human person;

2. *Solemnly affirms* the necessity of adopting national and international measures to that end, including teaching, education and information, in order to secure the universal and effective recognition and observance of the principles set forth below ;

3. *Proclaims* this Declaration:

ARTICLE 1

Discrimination between human beings on the ground of race, colour or ethnic origin is an offence to human dignity and shall be condemned as a denial of the principles of the Charter of the United Nations, as a violation of the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights, as an obstacle to friendly and peaceful relations among nations and as a fact capable of disturbing peace and security among peoples.

ARTICLE 2

1. No State, institution, group or individual shall make any discrimination whatsoever in matters of human rights and fundamental freedoms in the treatment of persons, groups of persons or institutions on the ground of race, colour or ethnic origin.

2. No State shall encourage, advocate or lend its support, through police action or otherwise, to any discrimination based on race, colour or ethnic origin by any group, institution or individual.

3. Special concrete measures shall be taken in appropriate circumstances in order to secure adequate development or protection of individuals belonging to certain racial groups with the object of ensuring the full enjoyment by such individuals of human rights and fundamental freedoms. These measures shall in no circumstances have as a consequence the maintenance of unequal or separate rights for different racial groups.

ARTICLE 3

1. Particular efforts shall be made to prevent discrimination based on race, colour or ethnic origin, especially in the fields of civil rights, access to citizenship, education, religion, employment, occupation and housing.

2. Everyone shall have equal access to any place or facility intended for use by the general public, without distinction as to race, colour or ethnic origin.

ARTICLE 4

All States shall take effective measures to revise governmental and other public policies and to rescind laws and regulations which have the effect of creating and perpetuating racial discrimination wherever it still exists. They should pass legislation for prohibiting such discrimination and should take all appropriate measures to combat those prejudices which lead to racial discrimination.

ARTICLE 5

An end shall be put without delay to governmental and other public policies of racial segregation and especially policies of *apartheid,* as well as all forms of racial discrimination and separation resulting from such policies.

ARTICLE 6

No discrimination by reason of race, colour or ethnic origin shall be admitted in the enjoyment by any person of political and citizenship rights in his country, in particular the right to participate in elections through universal and equal suffrage and to take part in the government. Everyone has the right of equal access to public service in his country.

ARTICLE 7

1. Everyone has the right to equality before the law and to equal justice under the law. Everyone, without distinction as to race, colour or ethnic origin, has the right to security of person and protection by the State against violence or bodily harm, whether inflicted by government officials or by any individual, group or institution.

2. Everyone shall have the right to an effective remedy and protection against any discrimination he may suffer on the ground of race, colour or ethnic origin with respect to his fundamental rights and freedoms through independent national tribunals competent to deal with such matters.

ARTICLE 8

All effective steps shall be taken immediately in the fields of teaching, education and information, with a view to eliminating racial discrimination and prejudice and promoting understanding, tolerance and friendship among nations and racial

groups, as well as to propagating the purposes and principles of the Charter of the United Nations, of the Universal Declaration of Human Rights, and of the Declaration on the granting of independence to colonial countries and peoples.

ARTICLE 9

1. All propaganda and organizations based on ideas or theories of the superiority of one race or group of persons of one colour or ethnic origin with a view to justifying or promoting racial discrimination in any form shall be severely condemned.

2. All incitement to or acts of violence, whether by individuals or organizations, against any race or group of persons of another colour or ethnic origin shall be considered an offence against society and punishable under law.

3. In order to put into effect the purposes and principles of the present Declaration, all States shall take immediate and positive measures, including legislative and other measures, to prosecute and/or outlaw organizations which promote or incite to racial discrimination, or incite to or use violence for purposes of discrimination based on race, colour or ethnic origin.

ARTICLE 10

The United Nations, the specialised agencies, States and non-governmental organisations shall do all in their power to promote energetic action which, by combining legal and other practical measures, will make possible the abolition of all forms of racial discrimination. They shall, in particular, study the causes of such discrimination with a view to recommending appropriate and effective measures to combat and eliminate it.

ARTICLE 11

Every State shall promote respect for and observance of human rights and fundamental freedoms in accordance with the Charter of the United Nations and shall fully and faithfully observe the provisions of the present Declaration, the Universal Declaration of Human Rights and the Declaration on the granting of independence to colonial countries and peoples.

RESOLUTION of the United Nations Security Council on Apartheid in South Africa.—Adopted New York, 4th December, 1963(1)

The Security Council,

Having considered the race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Republic of South Africa,

Recalling previous resolutions of the Security Council and of the General Assembly which have dealt with the racial policies of the Government of the Republic of South Africa, and in particular the Security Council resolution S/5386 of 7 August 1963(2),

Having considered the Secretary-General's reports contained in S/5438 and Addenda,

Deploring the refusal of the Government of the Republic of South Africa as confirmed in the reply of the Minister of Foreign Affairs of the Republic of South Africa to the Secretary-General received on 11 October 1963, to comply with Security Council resolution S/5386 of 7 August 1963, and to accept the repeated recommendations of other United Nations organs,

Noting with appreciation the replies to the Secretary-General's communication to the Member States on the action taken and proposed to be taken by their Governments in the context of that resolution's operative paragraph 3, and hoping that all the Member States as soon as possible will inform the Secretary-General about their willingness to carry out the provisions of that paragraph,

Taking note of the reports of the Special Committee on the Policies of *Apartheid* of the Government of the Republic of South Africa contained in document A/5497,

Noting with deep satisfaction the overwhelming support for resolution A/RES/1881 (XVIII) adopted by the General Assembly on 11 October 1963,

Taking into account the serious concern of the Member States with regard to the policy of *apartheid* as expressed in the

(1) U.N. Security Council Resolution 182 (1963), Document S/5471 Proposed by Norway; adopted unanimously.
(2) Page 377.

general debate in the General Assembly as well as in the discussions in the Special Political Committee,

Being strengthened in its conviction that the situation in South Africa is seriously disturbing international peace and security, and strongly deprecating the policies of the Government of South Africa in its perpetuation of racial discrimination as being inconsistent with the principles contained in the Charter of the United Nations and with its obligations as a Member State of the United Nations,

Recognising the need to eliminate discrimination in regard to basic human rights and fundamental freedoms for all individuals within the territory of the Republic of South Africa without distinction as to race, sex, language or religion,

Expressing the firm conviction that the policies of *apartheid* and racial discrimination as practised by the Government of the Republic of South Africa are abhorrent to the conscience of mankind and that therefore a positive alternative to these policies must be found through peaceful means,

1. *Appeals* to all States to comply with the provisions of Security Council resolution S/5386 of 7 August 1963;

2. *Urgently requests* the Government of the Republic of South Africa to cease forthwith its continued imposition of discriminatory and repressive measures which are contrary to the principles and purposes of the Charter[3] and which are in violation of its obligations as a Member of the United Nations and of the provisions of the Universal Declaration of Human Rights[4];

3. *Condemns* the non-compliance by the Government of the Republic of South Africa with the appeals contained in the above-mentioned resolutions of the General Assembly and the Security Council;

4. *Again calls upon* the Government of South Africa to liberate all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of *apartheid*;

5. *Solemnly calls upon* all States to cease forthwith the sale and shipment of equipment and materials for the manufacture and maintenance of arms and ammunition in South Africa;

(3) Vol. 145, page 805.
(4) Vol. 151, page 604.

6. *Requests* the Secretary-General to establish under his direction and reporting to him a small group of recognised experts to examine methods of resolving the present situation in South Africa through full, peaceful and orderly application of human rights and fundamental freedoms to all inhabitants of the territory as a whole, regardless of race, colour or creed, and to consider what part the United Nations might play in the achievement of that end ;

7. *Invites* the Government of the Republic of South Africa to avail itself of the assistance of this group in order to bring about such peaceful and orderly transformation ;

8. *Requests* the Secretary-General to continue to keep the situation under observation and to report to the Security Council such new developments as may occur, and in any case not later than 1 June 1964, on the implementation of this resolution.

SUMMARY of discussions on Disarmament at the Eighteenth Session of the United Nations General Assembly.—New York, 19th September to 11th December, 1963(1)

In the General Debate at the United Nations on September 19, 1963 Mr. Gromyko stated that the Soviet Government would agree to the retention of a limited number of missiles for the delivery of nuclear weapons until the end of the third stage of disarmament (Speech No. 9).

Lord Home, in his speech to the General Assembly on October 1, set out Her Majesty's Government's views on the next steps which might follow the signature of the Nuclear Test Ban Treaty(2).

The first resolution passed by the Assembly (A/RES/1884 (XVIII)) on the Ban on Orbiting of Nuclear Weapons in Outer Space was the result of direct negotiations between the United States of America and the Soviet Union. It was adopted by the First Committee on October 16, and in the General Assembly on October 17, by acclamation. Sponsored by thirty-seven nations, including the United Kingdom, the United States of America and the countries of the Soviet Bloc, it called

(1) *See* Miscellaneous No. 12 (1964) (Cmnd. 2353), page 5.
(2) Page 178.

upon all States to refrain from placing in orbit round the earth any objects carrying nuclear weapons, or stationing such weapons in outer space (Document No. 5).

The resolution on General and Complete Disarmament (A/RES/1908(XVIII)) was adopted by acclamation by the First Committee on October 31. Sponsored by fifty nations including the eight non-aligned members of the Geneva Conference, it called upon the Eighteen-Nation Committee on Disarmament to resume its negotiations on General and Complete Disarmament in accordance with the Joint Statement of Agreed Principles, and to submit to the General Assembly an interim report on the progress of this report at an early date. The resolution (Document No. 6) was also adopted by the General Assembly by acclamation on November 27; Albania took no part in the vote.

The resolution (A/RES/1909(XVIII)) calling on the Eighteen-Nation Committee on Disarmament to study the question of convening a conference for the purpose of signing a convention on prohibition of the use of nuclear and thermo-nuclear weapons, and to report to the General Assembly at the nineteenth session, was adopted in the First Committee on November 19. The Resolution was adopted by the General Assembly on November 27 by 64 votes in favour, 18 against (including the United Kingdom, the United States of America, Australia, Canada and France), with 25 abstentions (including New Zealand and Scandinavia) (Document No. 7).

A debate in the First Committee on the suspension of Nuclear Tests led to the adoption on October 31 of a resolution sponsored by thirty nations including the United Kingdom, the United States of America and the Union of Soviet Socialist Republics. This resolution called upon all States to become parties to the Treaty banning Nuclear Weapons Tests in the Atmosphere, in Outer Space and under Water and to abide by its spirit and provisions. It requested the Eighteen-Nation Disarmament Committee to continue with a sense of urgency its negotiations to achieve the objectives set forth in the preamble of the Treaty, and to report to the General Assembly not later than the nineteenth session. This Resolution was put to the vote in the General Assembly on November 27 (A/RES/1910 (XVIII)). It received 104 votes in favour, including the United

Kingdom, the United States of America, the Union of Soviet Socialist Republics, and most of the Soviet Bloc countries, NATO Powers and non-aligned countries, one vote against (Albania) and three abstentions (France, Guinea and the Central African Republic) (Document No. 8).

The resolution on the Denuclearisation of Latin America (Document No. 9) was sponsored by eleven Latin American Nations, including Brazil, Mexico, Chile and Panama and was adopted unanimously in the First Committee on November 19. It expressed the hope that the States of Latin America would initiate studies with a view to achieving the aims of the Declaration which the Heads of State of five Latin American Republics had issued on April 29, 1963. It was adopted by the General Assembly on November 27 by 91 votes (including the United Kingdom and the United States of America) to none, with 15 abstentions (most of the Soviet Bloc countries, France, Cuba, Venezuela, Algeria, Tunisia, Mali, Mongolia and Burundi) (Resolution A/RES/1911(XVIII)). On both occasions Rumania voted for the Resolution, and Albania did not participate.

A resolution on the Conversion to Peaceful Needs of the Resources released by Disarmament, sponsored by Nigeria, the United States of America and the Union of Soviet Socialist Republics was adopted in the Second Committee on December 9, 1963, and by the General Assembly on December 11 (A/RES/1931(XVIII)). This resolution expressed the hope that member states would intensify their efforts to achieve agreement on General and Complete Disarmament, under effective international control, with the desire to realise the benefits for mankind to which the Declaration was addressed; and that they would co-operate with the Secretary General in pursuing studies and activities relating to the economic and social consequences of disarmament and the means of dealing with the problems which disarmament would entail (Document No. 10).

The Rumanian Delegation tabled a Resolution on improving good neighbourly relations between States which appears to have been intended to promote discussion of a Balkan Nuclear Free Zone; they were prevailed upon to defer it to the next session.

RESOLUTION of the United Nations General Assembly adopting Declaration of Legal Principles governing the activities of States in the Exploration and Use of Outer Space.—New York, 13th December, 1963(1)

The General Assembly,

Inspired by the great prospects opening up before mankind as a result of man's entry into outer space,

Recognizing the common interest of all mankind in the progress of the exploration and use of outer space for peaceful purposes,

Believing that the exploration and use of outer space should be carried on for the betterment of mankind and for the benefit of States irrespective of their degree of economic or scientific development,

Desiring to contribute to broad international co-operation in the scientific as well as in the legal aspects of exploration and use of outer space for peaceful purposes,

Believing that such co-operation will contribute to the development of mutual understanding and to the strengthening of friendly relations between nations and peoples,

Recalling its resolution 110 (II) of 3 November 1947, which condemned propaganda designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression, and considering that the aforementioned resolution is applicable to outer space,

Taking into consideration its resolutions 1721 (XVI) of 20 December 1961 and 1802 (XVII) of 14 December 1962(2), adopted unanimously by the States Members of the United Nations,

Solemnly declares that in the exploration and use of outer space States should be guided by the following principles:

1. The exploration and use of outer space shall be carried on for the benefit and in the interests of all mankind.

2. Outer space and celestial bodies are free for exploration and use by all States on a basis of equality and in accordance with international law.

(1) U.N. General Assembly Resolution 1962 (XVIII).
(2) Vol. 166, pages 550 and 999.

3. Outer space and celestial bodies are not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means.

4. The activities of States in the exploration and use of outer space shall be carried on in accordance with international law, including the Charter of the United Nations, in the interest of maintaining international peace and security and promoting international co-operation and understanding.

5. States bear international responsibility for national activities in outer space, whether carried on by governmental agencies or by non-governmental entities, and for assuring that national activities are carried on in conformity with the principles set forth in the present Declaration. The activities of non-governmental entities in outer space shall require authorization and continuing supervision by the State concerned. When activities are carried on in outer space by an international organization, responsibility for compliance with the principles set forth in this Declaration shall be borne by the international organization and by the States participating in it.

6. In the exploration and use of outer space, States shall be guided by the principle of co-operation and mutual assistance and shall conduct all their activities in outer space with due regard for the corresponding interests of other States. If a State has reason to believe that an outer space activity or experiment planned by it or its nationals would cause potentially harmful interference with activities of other States in the peaceful exploration and use of outer space, it shall undertake appropriate international consultations before proceeding with any such activity or experiment. A State which has reason to believe that an outer space activity or experiment planned by another State would cause potentially harmful interference with activities in the peaceful exploration and use of outer space may request consultation concerning the activity or experiment.

7. The State on whose registry an object launched into outer space is carried shall retain jurisdiction and control over such object, and any personnel thereon, while in outer space. Ownership of objects launched into outer space, and of their component parts, is not affected by their passage through outer

space or by their return to the earth. Such objects or component parts found beyond the limits of the State of registry shall be returned to that State, which shall furnish identifying data upon request prior to return.

8. Each State which launches or procures the launching of an object into outer space, and each State from whose territory or facility an object is launched, is internationally liable for damage to a foreign State or to its natural or juridical persons by such object or its component parts on the earth, in air space, or in outer space.

9. States shall regard astronauts as envoys of mankind in outer space, and shall render to them all possible assistance in the event of accident, distress, or emergency landing on the territory of a foreign State or on the high seas. Astronauts who make such a landing shall be safely and promptly returned to the State of registry of their space vehicle.

RESOLUTION of the United Nations General Assembly on Legal Principles governing the activities of States in the Exploration of Outer Space.—Adopted New York, 13th December, 1963[1]

The General Assembly,

Recalling its resolutions 1721(XVI) of 20 December 1961 and 1802(XVII) of 14 December 1962[2] on international co-operation in the peaceful uses of outer space,

Having considered the report submitted by the Committee on the Peaceful Uses of Outer Space,

Mindful of the benefits which all Member States would enjoy by participation in international programmes of co-operation in this field,

I

1. *Recommends* that consideration should be given to incorporating in international agreement form, in the future as appropriate, legal principles governing the activities of States in the exploration and use of outer space ;

(1) U.N. General Assembly Resolution 1963 I (XVIII).
(2) Vol. 166, pages 550 and 999.

2. *Requests* the Committee on the Peaceful Uses of Outer Space to continue to study and report on legal problems which may arise in the exploration and use of outer space, and in particular to arrange for the prompt preparation of draft international agreements on liability for damage caused by objects launched into outer space and on assistance to and return of astronauts and space vehicles ;

3. *Further requests* the Committee on the Peaceful Uses of Outer Space to report to the General Assembly at its nineteenth session on the results achieved in preparing these two agreements.

RESOLUTIONS amending Articles 23, 27 and 61 of the Charter of the United Nations.—Adopted New York, 17th December, 1963(1)

QUESTION OF EQUITABLE REPRESENTATION ON THE SECURITY COUNCIL AND THE ECONOMIC AND SOCIAL COUNCIL

A

The General Assembly,

Considering that the present composition of the Security Council is inequitable and unbalanced,

Recognizing that the increase in the membership of the United Nations makes it necessary to enlarge the membership of the Security Council, thus providing for a more adequate geographical representation of non-permanent members and making it a more effective organ for carrying out its functions under the Charter of the United Nations,(2)

Bearing in mind the conclusions and recommendations of the Committee on arrangements for a conference for the purpose of reviewing the Charter,

1. *Decides* to adopt, in accordance with Article 108 of the Charter of the United Nations the following amendments to the Charter and to submit them for ratification by the States Members of the United Nations :

(1) U.N. General Assembly Resolutions 1991 A and B (XVIII). *See* Treaty Series No. 2 (1966) (Cmnd. 2900).
(2) Vol. 145, page 805.

(*a*) In Article 23, paragraph 1, the word " eleven " in the first sentence shall be replaced by the word " fifteen ", and the word " six " in the third sentence by the word " ten " ;

(*b*) In Article 23, paragraph 2, the second sentence shall then be reworded as follows :

" In the first election of the non-permanent members after the increase of the membership of the Security Council from eleven to fifteen, two of the four additional members shall be chosen for a term of one year." ;

(*c*) In Article 27, paragraph 2, the word " seven " shall be replaced by the word " nine " ;

(*d*) In Article 27, paragraph 3, the word " seven " shall be replaced by the word " nine " ;

2. *Calls upon* all Member States to ratify the above amendments in accordance with their respective constitutional processes by 1 September 1965 ;

3. *Further decides* that the ten non-permanent members of the Security Council shall be elected according to the following pattern :

(*a*) Five from African and Asian States ;

(*b*) One from Eastern European States ;

(*c*) Two from Latin American States ;

(*d*) Two from Western European and other States.

B

The General Assembly,

Recognizing that the increase in the membership of the United Nations makes it necessary to enlarge the membership of the Economic and Social Council, with a view to providing for a more adequate geographical representation therein, and making it a more effective organ for carrying out its function under Chapters IX and X of the Charter of the United Nations,

Recalling Economic and Social Council resolutions 974 B and C (XXXVI) of 22 July 1963,

Bearing in mind the conclusions and recommendations of the Committee on arrangements for a conference for the purpose of reviewing the Charter,

1. *Decides* to adopt, in accordance with Article 108 of the Charter of the United Nations, the following amendment to the Charter and to submit it for ratification by the Member States of the United Nations :

"ARTICLE 61

"1. The Economic and Social Council shall consist of twenty-seven Members of the United Nations elected by the General Assembly.

2. Subject to the provisions of paragraph 3, nine members of the Economic and Social Council shall be elected each year for a term of three years. A retiring member shall be eligible for immediate re-election.

3. At the first election after the increase in the membership of the Economic and Social Council from eighteen to twenty-seven members, in addition to the members elected in place of the six members whose term of office expires at the end of that year, nine additional members shall be elected. Of these nine additional members, the term of office of three members so elected shall expire at the end of one year, and of three other members at the end of two years, in accordance with arrangements made by the General Assembly.

4. Each member of the Economic and Social Council shall have one representative."

2. *Calls upon* all Member States to ratify the above amendment in accordance with their respective constitutional processes by 1 September 1965 ;([3])

3. *Further decides* that, without prejudice to the present distribution of seats in the Economic and Social Council, the nine additional members shall be elected according to the following pattern :

(*a*) Seven from African and Asian States ;

(*b*) One from Latin American States ;

(*c*) One from Western European and other States.

([3]) The United Kingdom ratification was deposited on 4 June, 1965. The Amendments entered into force on 31 August, 1965.

PROCLAMATION by the President declaring Sir Winston Churchill an Honorary Citizen of the United States of America.—Washington, 9th April, 1963[1]

WHEREAS Sir Winston Churchill, a son of America though a subject of Britain, has been throughout his life a firm and steadfast friend of the American people and the American nation ; and

Whereas he has freely offered his hand and his faith in days of adversity as well as triumph ; and

Whereas his bravery, charity and valor, both in war and in peace, have been a flame of inspiration in freedom's darkest hour ; and

Whereas his life has shown that no adversary can overcome, and no fear can deter, free men in the defense of their freedom ; and

Whereas he has expressed with unsurpassed power and splendor the aspirations of peoples everywhere for dignity and freedom ; and

Whereas he has by his art as an historian and his judgment as a statesman made the past the servant of the future ;

Now, therefore, I, John F. Kennedy, President of the United States of America, under the authority contained in an Act of the 88th Congress, do hereby declare Sir Winston Churchill an honorary citizen of the United States of America.

In witness whereof, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

Done in the City of Washington this ninth day of April, in the year of our Lord nineteen hundred and sixty-three, and of the Independence of the United States of America the one hundred and eighty-seventh.

JOHN FITZGERALD KENNEDY

(1) U.S. Department of State *Bulletin*, 6th May, 1963, page 716.

ADDRESS by President Kennedy on the Atlantic Partnership. —Paulskirche, Frankfurt, 25th June, 1963(1)

[Extract]

The future of the West lies in Atlantic partnership—a system of co-operation, interdependence, and harmony whose peoples can jointly meet their burdens and opportunities throughout the world. Some say this is only a dream, but I do not agree. A generation of achievement—the Marshall Plan(2), NATO(3), the Schuman Plan(4), and the Common Market(5)—urges us up the path to greater unity.

There will be difficulties and delays. There will be doubts and discouragement. There will be differences of approach and opinion. But we have the will and the means to serve three related goals—the heritage of our countries, the unity of our continents, and the interdependence of the Western alliance.

Some say that the United States will neither hold to these purposes nor abide by its pledges—that we will revert to a narrow nationalism. But such doubts fly in the face of history. For 18 years the United States has stood its watch for freedom all around the globe. The firmness of American will and the effectiveness of American strength have been shown, in support of free men and free government, in Asia, in Africa, in the Americas, and, above all, here in Europe. We have undertaken, and sustained in honor, relations of mutual trust and obligation with more than 40 allies. We are proud of this record, which more than answers doubts. But in addition these proven commitments to the common freedom and safety are assured, in the future as in the past, by one great fundamental fact—that they are deeply rooted in America's own self-interest. Our commitment to Europe is indispensable—in our interest as well as yours.

It is not in our interest to try to dominate the European councils of decision. If that were our objective, we would prefer to see Europe divided and weak, enabling the United

(1) American *Foreign Policy: Current Documents*, 1963, page 410.
(2) *See* Vol. 152, page 832.
(3) Vol. 154, page 479.
(4) *See* Vol. 158, page 630.
(5) *See* Vol. 163, page 206.

States to deal with each fragment individually. Instead we have and now look forward to a Europe united and strong—speaking with a common voice, acting with a common will—a world power capable of meeting world problems as a full and equal partner.

This is in the interest of us all. For war in Europe, as we learned twice in 40 years, destroys peace in America. A threat to the freedom of Europe is a threat to the freedom of America. That is why no administration—no administration—in Washington can fail to respond to such a threat—not merely from good will but from necessity. And that is why we look forward to a united Europe in an Atlantic partnership—an entity of interdependent parts, sharing equally both burdens and decisions and linked together in the tasks of defense as well as the arts of peace.

This is no fantasy. It will be achieved by concrete steps to solve the problems that face us all: military, economic, and political. Partnership is not a posture but a process, a continuous process that grows stronger each year as we devote ourselves to common tasks.

The *first* task of the Atlantic community was to assure its common *defense*. That defense was and still is indivisible. The United States will risk its cities to defend yours because we need your freedom to protect ours. Hundreds of thousands of our soldiers serve with yours on this continent, as tangible evidence of that pledge. Those who would doubt our pledge or deny this indivisibility—those who would separate Europe from America or split one ally from another—would only give aid and comfort to the men who make themselves our adversaries and welcome any Western disarray.

The purpose of our common military effort is not war but peace, not the destruction of nations but the protection of freedom. The forces that West Germany contributes to this effort are second to none among the Western European nations. Your nation is in the frontline of defense, and your divisions, side by side with our own, are a source of strength to us all.

These conventional forces are essential, and they are backed by the sanction of thousands of the most modern weapons here on European soil and thousands more, only minutes away, in

posts around the world. Together our nations have developed for the forward defense of free Europe a deterrent far surpassing the present or prospective force of any hostile power.

Nevertheless it is natural that America's nuclear position has raised questions within the alliance. I believe we must confront these questions, not by turning the clock backward to separate nuclear deterrents but by developing a more closely unified Atlantic deterrent, with genuine European participation.

How this can best be done, and it is not easy—in some ways more difficult than to split the atom physically—how this can best be done is now under discussion with those who may wish to join in this effort. The proposal before us is for a new Atlantic force. Such a force would bring strength instead of weakness, cohesion instead of division. It would belong to all members, not one, with all participating on a basis of full equality. And as Europe moves toward unity, its role and responsibility, here as elsewhere, would and must increase accordingly.

Meanwhile there is much to do. We must work more closely together on strategy, training, and planning. European officers from N.A.T.O. are being assigned to Strategic Air Command headquarters in Omaha, Nebraska. Modern weapons are being deployed here in Western Europe. And America's strategic deterrent, the most powerful in history, will continue to be at the service of the whole alliance.

Second: Our partnership is not military alone. *Economic* unity is also imperative, not only among the nations of Europe but across the wide Atlantic. Indeed, economic cooperation is needed throughout the entire free world. By opening our markets to the developing countries of Africa, Asia, and Latin America, by contributing our capital and our skills, by stabilizing basic prices, we can help assure them of a favorable climate for freedom and growth. This is an Atlantic responsibility. For the Atlantic nations themselves helped to awaken these peoples. Our merchants and traders ploughed up their soils—and their societies as well—in search of minerals and oil and rubber and coffee. Now we must help them gain full membership in the 20th century, closing the gap between rich and poor.

Another great economic challenge is the coming round of trade negotiations. Those deliberations are much more important than a technical discussion of trade and commerce. They are an opportunity to build common industrial and agricultural policies across the Atlantic. They are an opportunity to open up new sources of demand, to give new impetus to growth, and make more jobs and prosperity, for our expanding populations. They are an opportunity to recognize the trading needs and aspirations of other free-world countries, including Japan.

In short, these negotiations are a test of our unity. While each nation must naturally look out for its own interests, each nation must also look out for the common interest—the need for greater markets on both sides of the Atlantic, the need to reduce the imbalance between developed and underdeveloped nations, and the need to stimulate the Atlantic economy to higher levels of production rather than to stifle it by higher levels of protection.

We must not return to the 1930's, when we exported to each other our own stagnation. We must not return to the discredited view that trade favors some nations at the expense of others. Let no one think that the United States, with only a fraction of its economy dependent on trade and only a small part of that with Western Europe, is seeking trade expansion in order to dump our goods on this continent. Trade expansion will help us all. The experience of the Common Market, like the experience of the German Zollverein, shows an increased rise in business activity and general prosperity resulting for all participants in such trade agreements, with no member profiting at the expense of another. As they say on my own Cape Cod, a rising tide lifts all the boats. And a partnership, by definition, serves both partners, without domination or unfair advantage. Together we have been partners in adversity; let us also be partners in prosperity.

Beyond development and trade is monetary policy. Here again our interests run together. Indeed there is no field in which the wider interest of all more clearly outweighs the narrow interest of one. We have lived by that principle, as bankers to freedom, for a generation. Now that other nations, including West Germany, have found new economic strength,

it is time for common efforts here, too. The great free nations of the world must take control of our monetary problems if those problems are not to take control of us.

Third and finally, our partnership depends on common *political* purpose. Against the hazards of division and lassitude, no lesser force will serve. History tells us that disunity and relaxation are the great internal dangers of an alliance. Thucydides reported that the Peloponnesians and their allies were mighty in battle but handicapped by their policymaking body—in which, he related "each presses its own ends . . . which generally results in no action at all . . . they devote more time to the prosecution of their own purposes than to the consideration of the general welfare—each supposes that no harm will come of his own neglect, that it is the business of another to do this or that—and so, as each separately entertains the same illusion, the common cause imperceptibly decays."

Is that also to be the story of the Grand Alliance? Welded in a moment of imminent danger, will it disintegrate in complacency, with each member pressing its own ends to the neglect of the common cause? This must not be the case. Our old dangers are not gone beyond return, and any division among us would bring them back in doubled strength.

Our defenses are now strong, but they must be made stronger. Our economic goals are now clear, but we must get on with their performance. And the greatest of our necessities, the most notable of our omissions, is progress toward unity of political purpose.

For we live in a world in which our own united strength and will must be our first reliance. As I have said before, and will say again, we work toward the day when there may be real peace between us and the Communists. We will not be second in that effort. But that day is not yet here.

We in the United States and Canada are 200 million, and here on the European side of the Atlantic alliance are nearly 300 million more. The strength and unity of this half billion human beings are and will continue to be the anchor of all freedom, for all nations. Let us from time to time pledge ourselves again to the common purposes. But let us go on, from words to actions, to intensify our efforts for still greater unity

among us, to build new associations and institutions on those already established. Lofty words cannot construct an alliance or maintain it ; only concrete deeds can do that.

The great present task of construction is here on this continent, where the effort for a unified free Europe is under way. It is not for Americans to prescribe to Europeans how this effort should be carried forward. Nor do I believe that there is any one right course or any single final pattern. It is Europeans who are building Europe.

Yet the reunion of Europe, as Europeans shape it—bringing a permanent end to the civil wars that have repeatedly wracked the world—will continue to have the determined support of the United States. For that reunion is a necessary step in strengthening the community of freedom. It would strengthen our alliance for its defense. And it would be in our national interest as well as yours.

It is only a fully cohesive Europe that can protect us all against fragmentation of the alliance. Only such a Europe will permit full reciprocity of treatment across the ocean, in facing the Atlantic agenda. With only such a Europe can we have a full give-and-take between equals, an equal sharing of responsibilities, and an equal level of sacrifice. I repeat again—so that there may be no misunderstanding—the choice of paths to the unity of Europe is a choice which Europe must make. But as you continue this great effort, undeterred by either difficulty or delay, you should know that this new European greatness will be not an object of fear but a source of strength for the United States of America.

There are other political tasks before us. We must all learn to practice more completely the art of consultation on matters stretching well beyond immediate military and economic questions. Together, for example, we must explore the possibilities of leashing the tensions of the cold war and reducing the dangers of the arms race. Together we must work to strengthen the spirit of those Europeans who are now not free, to reestablish their old ties to freedom and the West, so that their desire for liberty, and their sense of nationhood, and their sense of belonging to the Western community will survive for future expression. We ask those who would be our adversaries to understand that in our relations with them we will not

bargain one nation's interest against another's and that the commitment to the cause of freedom is common to us all.

All of us in the West must be faithful to our conviction that peace in Europe can never be complete until everywhere in Europe—and that includes Germany—men can choose, in peace and freedom, how their countries shall be governed and choose, without threat to any neighbor, reunification with their countrymen.

I preach no easy liberation and I make no empty promises, but my countrymen, since our country was founded, believe strongly in the proposition that all men shall be free and all free men shall have this right of choice.

As we look steadily eastward in the hope and purpose of new freedom, we must also look—and ever more closely—to our transatlantic ties. The Atlantic community will not soon become a single overarching superstate. But practical steps toward stronger common purpose are well within our means. As we widen our common effort in defense and our threefold cooperation in economics, we shall inevitably strengthen our political ties as well. Just as your current efforts for unity in Europe will produce a stronger voice in the dialog between us, so in America our current battle for the liberty and prosperity of all citizens can only deepen the meaning of our common historic purposes. In the far future there may be a new great union for us all. But for the present there is plenty for all to do in building new and enduring connections.

In short, the words of Thucydides are a warning, not a prediction. We have it in us, as 18 years have shown, to build our defenses, to strengthen our economies, and to tighten our political bonds, both in good weather and in bad. We can move forward with the confidence that is born of success and the skill than is born of experience. And as we move, let us take heart from the certainty that we are not only united by danger and necessity but by hope and purpose as well.

For we know now that freedom is more than the rejection of tyranny, that prosperity is more than an escape from want, that partnership is more than a sharing of power. These are all, above all, great human adventures. They must have meaning and conviction and purpose—and because they do, in your country now and in mine, in all the nations of the alliance, we are called to a great new mission.

It is not a mission of self-defence alone, for that is a means, not an end. It is not a mission of arbitrary power, for we reject the idea that one nation should dominate another. The mission is to create a new social order, founded on liberty and justice, in which men are the masters of their fate, in which states are the servants of their citizens, and in which all men and women can share a better life for themselves and their children. That is the object of our common policy.

To realize this vision, we must seek, above all, a world of peace—a world in which peoples dwell together in mutual respect and work together in mutual regard, a world where peace is not a mere interlude between wars but an incentive to the creative energies of humanity. We will not find such a peace today, or even tomorrow. The obstacles to hope are large and menacing. Yet the goal of a peaceful world must—today and tomorrow—shape our decisions and inspire our purposes.

So we are all idealists. We are all visionaries. Let it not be said of this Atlantic generation that we left ideals and visions to the past, nor purpose and determination to our adversaries. We have come too far, we have sacrificed too much, to disdain the future now. And we shall ever remember what Goethe told us, that the " highest wisdom, the best that mankind ever knew " was the realization that " he only earns his freedom and existence who daily conquers them anew."

Thank you.

SPEECH by President Kennedy to the Eighteenth Session of the United Nations General Assembly.—New York, 20th September, 1963(1)

32. Mr. KENNEDY (President of the United States of America):

* * * * *

33. Twenty-four months ago, when I last had the honour of addressing this body(2), the shadow of fear lay darkly across the world. The freedom of West Berlin was in immediate peril.

(1) U.N. General Assembly *Official Records*, Eighteenth Session, 1209th meeting, page 4

(2) Vol. 166, page 507.

Agreement on a neutral Laos seemed remote. The mandate of the United Nations in the Congo was under fire. The financial outlook for this Organization was in doubt. Dag Hammarskjöld was dead. The doctrine of " troika " was being pressed in his place and atmospheric nuclear tests had been resumed by the Soviet Union.

34. Those were anxious days for mankind—and some men wondered aloud whether this Organization could survive. But the sixteenth and seventeenth sessions of the General Assembly achieved not only survival but progress. Rising to its responsibility, the United Nations helped to reduce the tensions and helped to hold back the darkness.

35. Today the clouds have lifted a little so that new rays of hope can break through. The pressures on West Berlin appear to be temporarily eased. Political unity in the Congo has been largely restored. A neutral coalition in Laos, while still in difficulty, is at least in being. The integrity of the United Nations Secretariat has been reaffirmed. A United Nations Decade of Development is under way, and, for the first time in seventeen years of effort, a specific step has been taken to limit the nuclear arms race.

36. I refer, of course, to the treaty to ban nuclear tests in the atmosphere, outer space and under water[3]—concluded by the Soviet Union, the United Kingdom and the United States and already signed by nearly one hundred countries. It has been hailed by people the world over who are thankful to be free from the fears of nuclear fallout, and I am confident that on next Tuesday, 24 September at 10.30 in the morning it will receive the overwhelming endorsement of the Senate of the United States.

37. The world has not escaped from the darkness. The long shadows of conflict and crisis envelop us still. But we meet today in an atmosphere of rising hope, and at a moment of comparative calm. My presence here today is not a sign of crisis but of confidence. I am not here to report on a new threat to the peace or new signs of war. I have come to salute the United Nations and to show the support of the American people for your daily deliberations.

38. For the value of this body's work is not dependent on the existence of emergencies—nor can the winning of peace

(3) Page 178.

consist only of dramatic victories. Peace is a daily, a weekly, a monthly process, gradually changing opinions, slowly eroding old barriers, quietly building new structures. And, however undramatic the pursuit of peace, that pursuit must go on.

39. Today we may have reached a pause in the cold war, but that is not a lasting peace. A test-ban treaty is a milestone, but it is not the millennium. We have not been released from our obligations—we have been given an opportunity. And if we fail to make the most of this moment and this momentum, if we convert our new-found hopes and understandings into new walls and weapons of hostility, if this pause in the cold war merely leads to its renewal and not its end, then the shaming indictment of posterity will rightly point its finger at us all. But if we can stretch this pause into a period of co-operation, if both sides can now gain new confidence and experience in concrete collaborations for peace, if we can now be as bold and far-sighted in the control of deadly weapons as we have been in their creation, then surely this first small step can be the start of a long and fruitful journey.

40. The task of building the peace lies with the leaders of every nation, large and small. For the great Powers have no monopoly on conflict or ambition. The cold war is not the only expression of tension in this world, and the nuclear race is not the only arms race. Even little wars are dangerous in a nuclear world. The long labour of peace is an undertaking for every nation, and in this effort none of us can remain unaligned ; to this goal none can be uncommitted.

41. The reduction of global tension must not be an excuse for the narrow pursuit of self-interest. If the Soviet Union and the United States, with all their global interests and clashing commitments of ideology, and with nuclear weapons still aimed at each other today, can find areas of common interest and agreement, then surely other nations can do the same—nations caught in regional conflicts, in racial issues, or in the death throes of old colonialism. Chronic disputes which divert precious resources from the needs of the people or drain the energies of both sides serve the interest of no one—and the badge of responsibility in the modern world is a willingness to seek peaceful solutions.

42. It is never too early to try ; it is never too late to talk ; and it is high time that many disputes on the agenda of this Assembly were taken off the debating schedule and placed on the negotiating table.

43. The fact remains that the United States, as a major nuclear Power, does have special responsibiliy to the world. It is, in fact, a threefold responsibility—a responsibility to our own citizens, a responsibility to the people of the whole world who are affected by our decisions, and a responsibility to the next generaton of humanity. We believe the Soviet Union also has these special responsibilities—and that those responsibilities require our two nations to concentrate less on our differences and more on the means of resolving them peacefully. For too long both of us have increased our military budgets, our nuclear stockpiles and our capacity to destroy all life on this hemisphere—human, animal and vegetable—without any corresponding increase in our security.

44. Our conflicts, to be sure, are real. Our concepts of the world are different. No service is performed by failing to make clear our disagreements. A central difference is the belief of the American people in self-determination for all peoples. We believe that the people of Germany and Berlin must be free to reunite their capital and their country. We believe that the people of Cuba must be free to secure the fruits of the revolution that has been betrayed from within and exploited from without.

45. In short, we believe that in all the world—in Eastern Europe as well as Western, in Southern Africa as well as Northern, in old nations as well as new—people must be free to choose their own future, without discrimination or dictation, without coercion or subversion.

46. These are the basic differences between the Soviet Union and the United States and they cannot be concealed. So long as they exist, they set limits to agreement, and they forbid the relaxation of our vigilance. Our defences around the world will be maintained for the protection of freedom—and our determination to safeguard that freedom will measure up to any threat or challenge.

47. But I would say to the leaders of the Soviet Union, and to their people, that if either of our countries is to be fully

secure, we need a much better weapon than the H-Bomb—a weapon better than ballistic missiles or nuclear submarines—and that better weapon is peaceful co-operation.

48. We have, in recent years, agreed on a limited test-ban treaty; on an emergency communications link between our capitals(4); on a statement of principles for disarmament(5); on an increase in cultural exchange; on co-operation in outer space; on the peaceful exploration of the Antarctic(6) and on tempering last year's crisis over Cuba(7).

49. I believe, therefore, that the Soviet Union and the United States, together with their Allies, can achieve further agreements—agreements which spring from our mutual interest in avoiding mutual destruction.

50. There can be no doubt about the agenda of further steps. We must continue to seek agreement on measures which prevent war by accident or miscalculation. We must continue to seek agreement on safeguards against surprise attack, including observation posts at key points. We must continue to seek agreement on further measures to curb the nuclear arms race, by controlling the transfer of nuclear weapons, converting fissionable materials to peaceful purposes, and banning underground testing with adequate inspection and enforcement. We must continue to seek agreement on a freer flow of information and people from East to West and West to East.

51. We must continue to seek agreement, encouraged by yesterday's affirmative response to this proposal by the Soviet Foreign Minister, on an arrangement to keep weapons of mass destruction out of outer space. Let us get our negotiators back to the negotiating table to work out a practicable arrangement to this end.

52. In these and other ways, let us move up the steep and difficult path toward comprehensive disarmament, securing mutual confidence through mutual verification, and building the institutions of peace as we dismantle the engines of war. We must not let failure to agree on all points delay agreement where agreement is possible. And we must not put forward proposals for propaganda purposes.

(4) *See* page 366.
(5) Vol. 166, page 535.
(6) Vol. 164, page 189.
(7) *See* Vol. 164, pages 959 and 984.

53. Finally, in a field where the United States and the Soviet Union have a special capacity—in the field of space—there is room for new co-operation, for further joint efforts in the regulation and exploration of space. I include among these possibilities a joint expedition to the moon. Space offers no problems of sovereignty; by resolution of this Assembly, the Members of the United Nations have forsworn any claim to territorial rights in outer space or on celestial bodies, and declared that international law and the United Nations Charter will apply(8). Why, therefore, should man's first flight to the moon be a matter of national competition? Why should the United States and the Soviet Union, in preparing for such expeditions, become involved in immense duplications of research, construction and expenditure? Surely we should explore whether the scientists and astronauts of our two countries —indeed of all the world—cannot work together in the conquest of space, sending some day in this decade to the moon, not the representatives of a single nation, but the representatives of all humanity.

54. All these and other new steps toward peaceful co-operation may be possible. Most of them will require on our part full consultation with our allies—for their interests are as much involved as our own, and we will never make an agreement at their expense.

55. Most of them will require long and careful negotiations. And most of them will require a new approach to the cold war—a desire not to bury one's adversary but to compete in a host of peaceful arenas, in ideas, in production, and ultimately in service to all mankind.

56. The contest will continue—the contest between those who see a monolithic world and those who believe in diversity—but it should be a contest in leadership and responsibility instead of destruction, a contest in achievement instead of intimidation. Speaking for the United States of America, I welcome such a contest. For we believe that truth is stronger than error—and that freedom is more enduring than coercion. And in the contest for a better life, all the world can be a winner.

(8) *See* page 395.

57. The effort to improve the conditions of man, however, is not a task for the few. It is the task of all nations—acting alone, acting in groups and acting in the United Nations. For plague and pestilence, plunder and pollution, the hazards of nature and the hunger of children are the foes of every nation. The earth, the sea and the air are the concern of every nation. And science, technology and education can be the allies of every nation.

58. Never before has man had such capacity to control his own environment: to end thirst and hunger; to conquer poverty and disease to banish illiteracy and massive human misery. We have the power to make this the best generation of mankind in the history of the world—or to make it the last.

59. The United States since the close of the war has sent over $100 billion worth of assistance to nations seeking economic viability. And two years ago this week we formed the Peace Corps to help interested nations to meet the demand for trained manpower. Other industrialised nations—whose economies were rebuilt not so long ago with some help from us—are now in turn recognising their responsibility to the less developed nations.

60. The provision of development assistance by individual nations must go on. But the United Nations also must play a larger role in helping bring to all men the fruits of modern science and industry. A United Nations conference on this subject, held earlier this year at Geneva, opened new vistas for the developing countries. Next year a United Nations Conference on Trade and Development will consider the needs of these nations for new markets. And more than four-fifths of the entire United Nations system can be found today mobilising the weapons of science and technology for the United Nations Decade of Development.

61. But more, much more, can be done: a world centre for health communications under the World Health Organization could warn of epidemics and of the adverse effects of certain drugs as well as transmit the results of new experiments and discoveries; regional research centres could advance our common medical knowledge and train new scientists and doctors for new nations; a global system of satellites could provide communication and weather information for all corners of the

earth ; a world-wide programme of conservation could protect the forest and wild game preserves now in danger of extinction for all time—improve the marine harvest of food from our oceans—and prevent the contamination of air and water by industrial as well as nuclear pollution. And, finally, a world-wide programme of farm productivity and food distribution, similar to our country's " Food-for-Peace " programme, could now give every hungry child the food he needs.

62. But man does not live by bread alone—and the Members of this Organisation are committed by the Charter to promote and respect human rights. Those rights are not respected when a Buddhist priest is driven from his pagoda, when a synagogue is shut down, when a Protestant church cannot open a mission, when a Cardinal is forced into hiding, or when a crowded church service is bombed.

63. The United States of America is opposed to discrimination and persecution on grounds of race and religion anywhere in the world, including our own nation. We are working to right the wrongs of our own country.

64. Through legislation and administrative action, through moral and legal commitment, this Government has launched a determined effort to rid our nation of discrimination which has existed far too long—in education, in housing, in transportation, in employment in the civil service, in recreation and in places of public accommodation. And therefore, in this or in any other forum, we do not hesitate to condemn racial or religious injustice, whether committed or permitted by friend or foe.

65. I know that some of you have experienced discrimination in this country. But I ask you to believe me when I tell you that this is not the wish of most Americans, that we share your regret and resentment and that we intend to end such practices for all time to come, not only for our visitors but for our own citizens as well.

66. I hope that not only our nation but all other multi-racial societies will meet these standards of fairness and justice. We are unalterably opposed to apartheid and all forms of human oppression. We do not advocate the rights of black Africans in order to drive out white Africans. Our concern is the right of all men to equal protection under the law—and since human

rights are indivisible, this body cannot stand aside when those rights are abused and neglected by any Member State.

67. New efforts are needed if this Assembly's Declaration of Human Rights(9), now fifteen years old, is to have full meaning. And new means should be found for promoting the free expression and trade of ideas, through travel and communication and through increased exchanges of people, books and broadcasts For as the world renounces the competition of weapons, competition in ideas must flourish—and that competition must be as full and as fair as possible.

68. The United States delegation will be prepared to suggest to the United Nations initiatives in the pursuit of all these goals. For this is an Organization for peace, and peace cannot come without work and without progress.

69. The peace-keeping record of the United Nations has been a proud one, though its tasks are always formidable. We are fortunate to have the skills of our distinguished Secretary-General and the brave efforts of those who have been serving the cause of peace in the Congo and the Middle East, in Korea and Kashmir, in West New Guinea and Malaysia. But what the United Nations has done in the past is less important than the tasks for the future. We cannot take its peace-keeping machinery for granted. That machinery must be soundly financed, which it cannot be if some Members are allowed to prevent it from meeting its obligations by failing to meet their own. The United Nations must be supported by all those who exercise their franchise here. And its operations must be backed to the end.

70. Too often, a project is undertaken in the excitement of crisis and then it begins to lose its appeal as the problems drag on and the bills pile up. But we must have the steadfastness to see every enterprise through.

71. It is, for example, most important not to jeopardise the extraordinary United Nations gains in the Congo. The nation which sought this Organization's help only three years ago has now asked the United Nation's presence to remain a little longer. I believe that the Assembly should do what is necessary to preserve the gains already made and to protect the

(9) Vol. 151, page 604.

new nation in its struggle for progress. Let us complete what we have started for " No man having put his hand to the plow and looking back ", as the Scriptures tell us, " is fit for the Kingdom of God ".

72. I also hope that the recent initiative of several Members in preparing standby peace forces for United Nations call will encourage similar commitments by others. This nation remains ready to provide logistic and other material support.

73. Policing, moreover, is not enough without provision for pacific settlement. We should increase the resort to special missions of fact finding and conciliation, make greater use of the International Court of Justice and accelerate the work of the International Law Commission.

74. The United Nations cannot survive as a static Organization. Its obligations are increasing as well as its size. Its Charter must be changed as well as its customs. The authors of that Charter did not intend that it be frozen in perpetuity. The science of weapons and war has made us all, far more than eighteen years ago in San Francisco, one world and one human race with one common destiny.

75. In such a world, absolute sovereignty no longer assures us of absolute security. The conventions of peace must pull abreast and then ahead of the inventions of war. The United Nations, building on its success and learning from its failures, must be developed into a genuine world security system.

76. But peace does not rest in charters and covenants alone. It lies in the hearts and minds of all people. And if it is cast out there, then no act, no pact, no treaty or organization can ever hope to preserve it without the support and the whole-hearted commitment of all people. So let us not rest all our hopes on parchment and on paper—let us strive to build peace, a desire for peace, a willingness to work for peace, in the hearts and minds of all our people. I believe that we can. I believe the problems of human destiny are not beyond the reach of human beings.

77. Two years ago I told this body that the United States had proposed and was willing to sign a limited test-ban treaty. Today that treaty has been signed. It will not put an end to war. It will not remove basic conflicts. It will not secure freedom for all. But it can be a lever. And Archimedes,

in explaining the principles of the lever, was said to have declared to his friends: " Give me but one firm spot on which to stand—and I will move the earth ".

78. My fellow inhabitants of this planet, let us take our stand here in this assembly of nations. And let us see if we, in our own time, can move the world towards a just and lasting peace.

PROCLAMATION by the President of the United States on the assassination of President Kennedy.—Washington, 23rd November, 1963[1]

To the People of the United States:

John Fitzgerald Kennedy, 35th President of the United States, has been taken from us by an act which outrages decent men everywhere[2].

He upheld the faith of our fathers, which is freedom for all men. He broadened the frontiers of that faith, and backed it with the energy and the courage which are the mark of the Nation he led.

A man of wisdom, strength, and peace, he moulded and moved the power of our Nation in the service of a world of growing liberty and order. All who love freedom will mourn his death.

As he did not shrink from his responsibilities, but welcomed them, so he would not have us shrink from carrying on his work beyond this hour of national tragedy.

He said it himself: " The energy, the faith, the devotion which we bring to this endeavor will light our country and all who serve it—and the glow from that fire can truly light the world."

Now, therefore, I, Lyndon B. Johnson, President of the United States of America, do appoint Monday next, November 25, the day of the funeral service of President Kennedy,

(1) U.S. Department of State *Bulletin*, 9th December, 1963, page 882.
(2) President Kennedy was assassinated at Dallas, Texas, on 22nd November, 1963.

to be a national day of mourning throughout the United States. I earnestly recommend the people to assemble on that day in their respective places of divine worship, there to bow down in submission to the will of Almighty God, and to pay their homage of love and reverence to the memory of a great and good man. I invite the people of the world who share our grief to join us in this day of mourning and rededication.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this twenty-third day of November in the year of our Lord nineteen hundred and sixty-three, and of the Independence of the United States of America the one hundred and eighty-eighth.

LYNDON B. JOHNSON

MESSAGE from President Johnson to General Minh, Chairman of the Revolutionary Council of South Vietnam, pledging continued United States support.—31st December, 1963[1]

Dear General Minh: As we enter the New Year of 1964, I want to wish you, your Revolutionary Government, and your people full success in the long and arduous war which you are waging so tenaciously and bravely against the Viet Cong forces directed and supported by the Communist regime in Hanoi. Ambassador [Henry Cabot] Lodge and Secretary [of Defense Robert S.] McNamara have told me about the serious situation which confronts you and of the plans which you are developing to enable your armed forces and your people to redress this situation.

This new year provides a fitting opportunity for me to pledge on behalf of the American Government and people a renewed partnership with your government and people in your brave struggle for freedom. The United States will continue to furnish you and your people with the fullest measure of support in this bitter fight. We shall maintain in Viet-Nam American personnel and material as needed to assist you in achieving victory.

(1) U.S. Department of State *Bulletin*, 27 January, 1964, pages 121-122.

Our aims are, I know, identical with yours : to enable your government to protect its people from the acts of terror perpetrated by Communist insurgents from the north. As the forces of your government become increasingly capable of dealing with this aggression, American military personnel in South Viet-Nam can be progressively withdrawn.

The United States Government shares the view of your government that " neutralization " of South Viet-Nam is unacceptable. As long as the Communist régime in North Viet-Nam persists in its aggressive policy, neutralization of South Viet-Nam would only be another name for a Communist take-over. Peace will return to your country just as soon as the authorities in Hanoi cease and desist from their terrorist aggression.

Thus, your government and mine are in complete agreement on the political aspects of your war against the forces of enslavement, brutality, and material misery. Within this framework of political agreement we can confidently continue and improve our co-operation.

I am pleased to learn from Secretary McNamara about the vigorous operations which you are planning to bring security and an improved standard of living to your people.

I wish to congratulate you particularly on your work for the unity of all your people, including the Hoa Hao and Cao Dai(2), against the Viet Cong. I know from my own experience in Viet-Nam how warmly the Vietnamese people respond to a direct human approach and how they have hungered for this in their leaders. So again I pledge the energetic support of my country to your government and your people.

We will do our full part to ensure that under your leadership your people may win a victory—a victory for freedom and justice and human welfare in Viet-Nam.

(2) Political-religious sects whose political power was broken by President Diem's régime in 1955.

INTRODUCTION to the Constitution of the Socialist Federal Republic of Yugoslavia.—7th April, 1963[1]

Considering the historical fact that the working people of Yugoslavia, under the leadership of the Communist Party, overthrew the former class society based on exploitation, political oppression and national inequality by their struggle in the People's Liberation War and Socialist Revolution in order to found a community in which human labour and man will be delivered from exploitation and arbitrariness and each of the peoples of Yugoslavia and all of them together will find conditions for free and comprehensive development ;

Aware that such changes have been brought about in the development of the material basis of the country and of socialist social relations as supersede the present Constitution ;

Desirous of consolidating these achievements and of securing conditions for the further development of socialist and democratic relations and for comprehensive progress and freedom of the people by uniform constitutionality ;

The Federal People's Assembly, as the supreme representative body of the working people and of all the peoples of Yugoslavia, establishes :

The Constitution of the Socialist Federal Republic of Yugoslavia

INTRODUCTORY PART

Basic Principles

I

The peoples of Yugoslavia, on the basis of the right of every people to self-determination, including the right to secession, on the basis of their common struggle and their will freely declared in the People's Liberation War and Socialist Revolution, and in accord with their historical aspirations, aware that the further consolidation of their brotherhood and unity is to their common interest, have united in a federal republic of free and equal peoples and nationalities and have

(1) Published in English by the Yugoslav Secretariat for Information. The Constitution was promulgated on 7th April, 1963.

founded a socialist federal community of working people, the Socialist Federal Republic of Yugoslavia, in which, in the interests of each people and of all of them together, they are achieving and developing:

Socialist social relations and the protection of the socialist system of society;

National freedom and independence;

Brotherhood and unity among the peoples and solidarity among the working people;

Possibilities and freedom for the comprehensive development of the human personality and for close communion of the people in accord with their interests and aspirations to create an ever richer culture and civilization in socialist society;

Unity and coordination of efforts to develop the material basis of the social community and the prosperity of the people;

Association of their own aspirations with the progressive strivings of mankind;

Common foundations of an economic and political system in which common interests and equality are achieved among the people.

The working people and the peoples of Yugoslavia exercise their sovereign rights in the Federation when the Constitution determines this to be in the common interest and exercise all other relations in the socialist republics.

II

The socialist system in Yugoslavia is based on relations between people acting as free and equal producers and creators, whose work serves exclusively to satisfy their personal and common needs.

Accordingly, the inviolable foundation of the position and role of man lies in:

Social ownership of the means of production, which precludes the restoration of any system of exploitation of one man by another, and which, by eliminating the separation of man from the means of production and other working conditions, provides the conditions necessary for management by

the working people in production and in the distribution of the products of labour, and for social guidance of economic development ;

Emancipation of work, which supersedes the historically conditioned inequality and dependence of people in work, which is assured by the abolition of wage-labour relations by self-management of the working people, by comprehensive development of the productive forces, by the diminishing of the socially necessary labour time, by the development of science, culture, and technology, and by the continual expansion of education ;

The right of man both as an individual and as a member of the working collective to enjoy the fruits of his work and of the material progress of the social community, in accordance with the principle, " From each according to his abilities ; to each according to his work ", along with the obligation of man to assure the development of the material foundations of his own and of socially-organized work and to contribute to the satisfaction of other social needs ;

Self-management by the working people in the working organization ; free association of the working people, of working and other organizations and of social-political communities in order to satisfy common needs and interests ; self-government in the commune and in the other social-political communities so as to assure the direct participation of the citizens in the determination of the course of social development, in the exercise of power and in the decisions on other social affairs ;

The democratic political relations that enable man to achieve his interests, to realize his right of self-government and other rights and mutual relations, and to develop his personality by direct activity in social life, especially in the organs of self-government, in the social-political organizations and associations, which he himself creates and through which he influences the development of social consciousness and expands the conditions for his activity and for the attainment of his interests and rights ;

Equality of rights, duties and responsibilities of the people in conformity with uniform constitutionality and legality ;

Solidarity and co-operation of the working people and working organizations, their interest and their unrestricted initiative

in developing production and other social and personal activities on behalf of man and his social community ;

Economic and social security of man.

It is from this position of man that the social-economic and political system derives, and it is man and his role in society that it serves.

Any form of management of production and of other social activities and any form of distribution that distorts the social relations based on this position of man, whether in the form of bureaucratic arbitrariness and privileges based on monopoly position or in the form of private-ownership selfishness and particularism, is contrary to the individual and common interests of the working man and to the social-economic and political system determined by the Constitution.

The socially-owned means of production, being the common, inalienable basis of socially-organized work, serves to satisfy the personal and common needs and interest of the working people and to develop the material foundations of the social community and socialist social relations. The socially-owned means of production is managed directly by the working people, who work with this means on their own behalf and on behalf of the social community and are responsible to each other and to the social community.

Since no one has the right of ownership over the socially-owned means of production, neither the social-political community nor the working organization nor the working man may appropriate in any form of ownership the product of socially-organized work, or manage and dispose of socially-owned means of production and work, or arbitrarily determine the terms of distribution.

Work is the only grounds for the appropriation of the product of socially-organized work, and the foundation of management of social means.

The social product serves to restore and expand the material basis for socially-organized work, and directly to satisfy the personal and common needs of the working people, in conformity with the principle of distribution according to work.

That part of the social product which is set aside for the renewal and expansion of the material basis of socially-organ-

ized work provides the foundation for social economic growth, which the working people realize in their working organizations, and through the mutual co-operation of these organizations, as well as in the social-political communities.

A uniform system of distribution shall assure that the working organizations will employ the funds for social-economic growth in proportion to their share in creating them, subject to their ability to make the most effective use of them within the framework of the social division of labour determined by the social plans.

In order to attain self-management and to realize the individual and common interests of the working people, in order to stimulate their initiative and create the most favourable conditions for the development of the productive forces, to equalize the working conditions, to achieve distribution according to work, and to develop socialist relations, the social community plans the development of the economy and the material foundations of other social activities. Planning is done in the working organizations by the working people as the bearers of production and of socially-organized work, and by the social-political communities in the performance of their social-economic functions.

The social plan of Yugoslavia coordinates the basic relations in production and distribution. Within the framework of these relations and a unified economic system, the working people in the working organizations and social-political communities autonomously plan and develop the material bases for their activities.

In order to equalize the material conditions in social life and in the work of the working people, in order to achieve harmonious economic development as a whole, and in order to create the material basis for equality among the peoples of Yugoslavia, the social community, acting in the common interest, devotes special attention to the rapid development of the productive forces in those republics and areas with inadequate economic development, and to this end it provides the necessary funds and undertakes other measures.

Social ownership of the means of production is the foundation of personal ownership acquired by personal work, and serves to satisfy the personal needs and interests of man.

In order to develop socialist relations in agriculture and to promote agricultural production, conditions are assured for the development of production on the basis of socially-owned means and socially-organized work, and for association among farmers and their cooperation with the working organizations on a voluntary basis.

Having the constitutional right of ownership to arable land, the farmers have the right and obligation to utilize the land in order to promote agricultural production in their own interests and in the interests of the social community.

IV

Every form of government, including political power, is created by the working class and by all the working people for themselves in order to organize society as a free community of producers, which is assured ;

By social self-government as the basis of the social-political system ;

By decision of the citizens on all social matters, either directly or through delegates whom they elect to the representative bodies of the social-political communities and to other bodies of social self-government ;

By the establishment and development of equal and democratic relations among the citizens, and by the attainment of human and civil freedoms and rights in accord with the strengthening of solidarity, the citizens' performance of their social duties, and the material and social development of the socialist community ;

By the personal responsibility of all holders of public office, especially those with functions of power, and by the responsibility of the political-executive and administrative organs to the representative body of the social-political community and to the public ;

By judicial supervision of constitutionality and legality ; and by social supervision of the work of state organs, organs of social self-government, and organizations dealing with matters of public concern ;

By the social and political activity of the socialist forces organized in social-political organizations.

The functions of power determined by the Constitution are vested in the representative bodies of the social-political communities as the territorial organs of social self-government. These representative bodies are constituted and removable delegations elected in the communes by all the citizens, and in the working communities by the working people.

With the exception of the functions of power and the general affairs of social self-government, which they discharge through the representative bodies and bodies accountable to them, the citizens decide on social affairs in their working and other autonomous organizations and by forms of direct determination ; and they attain other common interests also in their social-political organizations and associations, which they found themselves.

In the socialist social relations and conditions of social self-government, the working people voluntarily unite in trade unions in order to cooperate as directly as possible in the development of socialist social relations and social self-government, to coordinate their personal and common interests with the general interests, to realise the principles of distribution according to work, and to adapt the worker for work and for management, as well as to take the initiative and undertake measures to protect their rights and interests and to improve their living and working conditions, to develop solidarity, to coordinate opinions and mutual relations, and to solve other questions of common interest.

The citizens are the source of initiative for social activities directly and through their social-political organisations and associations ; they exercise supervision over the work of the organs of government and other holders of public office, they determine the norms for mutual relations and they lend their support to the state organs, the organs of social self-government, and organizations dealing with affairs of public concern.

In order to realise self-government and the other rights of the citizens, the public working of the state organs, organs of social self-government, organisations, and holders of public office shall be assured, and conditions shall be created so that the citizen may be fully informed and capable of discharging public affairs.

The principle of limitation of re-election and re-nomination to particular offices assures the removability of holders of

government and of other public offices, in order to allow the widest possible participation of citizens in the discharge of public functions, and to consolidate and develop democratic relations in society.

V

The Socialist Alliance of the Working People of Yugoslavia, founded during the People's Liberation War and Socialist Revolution as a voluntary democratic alliance of the citizens, is the broadest base of social-political activity and social self-government of the working people.

In the Socialist Alliance of the Working People of Yugoslavia the citizens,

Discuss social-political questions from all provinces of social life, coordinate opinions and pass political resolutions dealing with the solution of these questions, the course of social development and the strengthening of self-government, the attainment of the rights and interests of man and citizen, and the promotion of socialist and democratic relations ;

Give their opinions and judgments on the work of state organs, organs of social self-government, organisations, and holders of public office, and exercise social supervision over their work, especially to render their work public and themselves responsible for it ;

Strive for the creation and protection of every form of social-political life stimulating socialist and democratic development ; take the political initiative in every province of public life ; and ensure the fullest possible realisation of their voting and other rights ;

Provide conditions for the comprehensive participation of youth and its organisations in social and political life ;

Strive for human relations among people, for the development of socialist consciousness, and for the norms of a socialist way of life, and for the elimination of manifestations that impede the development of socialist and democratic social relations or otherwise harm them.

VI

The League of Communists of Yugoslavia, initiator and organizer of the People's Liberation War and Socialist Revolu-

tion, owing to the necessity of historical development, has become the leading organised force of the working class and working people in the development of socialism and in the attainment of solidarity among the working people and of the brotherhood and unity of the peoples.

Under the conditions of socialist democracy and social self-government, the League of Communists, with its guiding ideological and political work, is the prime mover of the political activity necessary to protect and to promote the achievements of the Socialist Revolution and socialist social relations, and especially to strengthen the socialist social and democratic consciousness of the people.

VII

Whereas peaceful coexistence and active cooperation between states and peoples, irrespective of differences in their social system, is indispensable to peace and social progress in the world, Yugoslavia bases its international relations on the principles of respect of national sovereignty and equality, non-interference in the internal affairs of other countries, peaceable settlement of international disputes, and socialist internationalism. In its international relations Yugoslavia adheres to the principles of the United Nations Charter, fulfils its international commitments and actively participates in the work of the international organisations to which it is affiliated.

In order to realise these principles, Yugoslavia strives,

For the establishment and development of every form of international cooperation that helps to consolidate peace, to strengthen mutual respect and friendship between peoples and states, and to bring about their rapprochement ; for the broadest and freest exchange of material and intellectual wealth, for the freedom of mutual information, and for the development of other relations that contribute to the realisation of common economic, cultural and other interests of states, nations and people, and especially to the development of democratic and socialist relations in international cooperation, and general social progress ;

For the repudiation of the use or threat of force in international relations ; and for general and complete disarmament ;

For the right of every people to determine freely and to develop its own social and political system by ways and means of its own free choosing ;

For the right of peoples to self-determination and national independence and for their right to wage liberation struggle to attain these just aims ;

For international support to peoples waging a just struggle for national independence and liberation from colonialism and national oppression ;

For the development of such international cooperation as assures equality in economic relations in the world, sovereign exploitation of national resources and the creation of conditions conducive to the more rapid development of the underdeveloped countries.

In pledging itself to comprehensive political, economic and cultural cooperation with other peoples and states, Yugoslavia, as a socialist community of peoples, holds that this cooperation should contribute to the creation of new democratic forms of association between states, nations and people which will answer to the interests of peoples and social progress, and in this respect it is an open community.

VIII

The social-political relations and the forms determined by the Constitution are aimed at broadening the conditions for the further development of socialist society, the elimination of its contradictions, and for such social progress as, on the basis of the comprehensive development of the productive forces, high productivity of labour, an abundance of products, and comprehensive development of man as an emancipated being, will bring about the development of social relations in which the communist principle, " From each according to his abilities ; to each according to his needs " will be realized.

To this end all the state organs, organs of social self-government, organizations and citizens are enjoined, in all their activities,

To expand and strengthen the material basis of society and the life of the individual by developing the productive forces,

raising the productivity of labour, and continually promoting socialist social relations ;

To create conditions in which the social-economic differences between intellectual and physical work will be eliminated and in which human work will become an ever fuller expression of creativity and of the human personality ;

To expand and develop every form of social self-government and socialist democracy, especially in those fields in which the functions of political power predominate ; to limit coercion and promote the conditions for its elimination ; and to establish relations among people based on awareness of common interests and on the unrestricted activity of man ;

To contribute to the realization of human freedoms and rights, to the humanization of the social environment and man's personality, to the strengthening of solidarity and humanity between people, and respect for man's dignity ;

To develop comprehensive cooperation and rapprochement with all peoples in keeping with the progressive strivings of mankind to develop a free community of all the peoples in the world.

IX

In expressing the basic principles of the socialist community and the principles for its progress, this section of the Constitution is also the basis for the interpretation of the Constitution and law and for the work of each and everyone.

1964

STATEMENT by the Minister of Transport on agreement reached between the United Kingdom and France on the Construction of a Rail Channel Tunnel.—House of Commons, Westminster, 6th February, 1964(1)

The Minister of Transport (Mr. Marples):

As a result of studies undertaken jointly, Her Majesty's Government and the French Government consider that the construction of a rail Channel tunnel is technically possible and that in economic terms it would represent a sound investment of the two countries' resources.

The two Governments have, therefore, decided to go ahead with this project. The next step will be to discuss further, in particular, the legal and financial problems involved.

Bearing in mind the very heavy burden of the two countries' existing commitments and the many other competing claims on their national resources, it remains to be decided when and how best the expense involved can be sustained.

At the present stage of the discussions, the two Governments have not yet decided whether there is a rôle—and, if so, in what form—for the participation of private equity capital in the enterprise. It is clearly understood that, whatever happens, the Governments will have to have full control of any future operating company.

This, together with the fact that private finance would require Government guarantees, must inevitably affect the final decision.

(1) H.C. Deb. Vol. 688, cols. 1351–1352.

ACT OF PARLIAMENT to facilitate the making of new arrangements for the central organisation of Defence, and to provide for matters consequential thereon.

[Eliz. 2. Ch. 15] [12th March, 1964]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) If Her Majesty is pleased to make arrangements—

(*a*) for one of Her principal Secretaries of State to be charged with general responsibility for defence ; and

(*b*) for the establishment of a Defence Council having powers of command and administration over Her Majesty's armed forces, and of an Admiralty Board, an Army Board and an Air Force Board to be charged (under the Defence Council) with the administration of matters relating to the naval, military and air forces respectively ;

then on such day as Her Majesty may by Order in Council appoint for those arrangements to take effect (in this Act referred to as " the appointed day ")[1] the statutory functions below mentioned shall be transferred to a Secretary of State or to the Defence Council as provided by this section.

(2) There shall be transferred to a Secretary of State the functions conferred by any enactment on the Minister of Defence, or on the Secretary of State for War or for Air (however styled), or on the Admiralty, except such functions of the Admiralty as are by subsection (3) below transferred to the Defence Council.

(3) There shall be transferred to the Defence Council the functions conferred by any enactment on the Army Council or on the Air Council, and the functions conferred on the Admiralty—

(*a*) by any enactment by which similar functions are conferred on the Army Council or on the Air Council ; or

(*b*) by any enactment contained in the Naval Discipline Act 1957 except as specified in subsection (4) below, or by Schedule 7 (Provisions as to Royal Marines) of the Army Act 1955 ; or

(*c*) by the following enactments (which provide for the discharge, training, posting etc., of naval personnel), that is to say, the Naval Enlistment Acts 1835 to 1884 and sections 2, 3, 5 and 14 of the Royal Naval Reserve (Volunteer) Act 1859.

(4) There shall be transferred to a Secretary of State by subsection (2) above, and not to the Defence Council by subsection (3), any power to make or delegate the making of orders, regulations or rules which is conferred on the Admiralty

[1] 1 April, 1964.

by the following sections of the Naval Discipline Act 1957, that is to say, sections 50, 58, 64, 79, 81, 82 and 110 (which relate to the practice and procedure etc., of disciplinary courts and courts martial, to the execution of their sentences, and to matters connected therewith).

(5) The functions of the Defence Council under any enactment (including any function of reviewing the findings or sentences of courts-martial and other functions of a judicial nature) may, subject to any directions of the Defence Council, be discharged by the Admiralty Board, the Army Board or the Air Force Board; and for the purposes of any enactment (including any other provision of this Act) anything done by or in relation to any of those Boards in or in connection with the discharge of any such functions of the Defence Council shall be of the same effect as if done by or in relation to the Defence Council.

This subsection shall apply to functions conferred by enactments passed after this Act, except in so far as its application is expressly or impliedly excluded.

(6) A certificate purporting to be given under the hand of the secretary (or person acting as secretary) to the Defence Council that any person was at a time specified in the certificate a member of the Defence Council, the Admiralty Board, the Army Board or the Air Force Board shall be evidence of the fact certified.

(7) Subsections (2), (3) and (5) above shall have effect in relation to any order, regulation, rule or other instrument having effect under any enactment as they have effect in relation to an enactment, except that Her Majesty may by Order in Council direct that any functions which are conferred by such an instrument on the Admiralty and would apart from the order be transferred to the Secretary of State shall be transferred to the Defence Council.

(8) As from the appointed day Part II of the Air Force (Constitution) Act 1917 (which provided for the establishment of an Air Council) shall cease to have effect, and is hereby repealed.

2.—(1) If Her Majesty is pleased to make the arrangements described in section 1(1) above, the person appointed Secretary of State with general responsibility for defence and his

successors shall be, by the name of the Secretary of State for Defence, a corporation sole (with a corporate seal) for all purposes relating to the acquisition, holding, management or disposal of property, but so that anything done by or in relation to any other Secretary of State for the Secretary of State for Defence as a corporation sole shall have effect as if done by or in relation to the Secretary of State for Defence.

(2) On the appointed day the Secretary of State for Defence shall succeed to all property, rights and liabilities in the United Kingdom or elsewhere of the Minister of Defence, or of the Admiralty, or of the Secretary of State for War or for Air, or of the Army or Air Council, including property, rights and liabilities held or incurred by any of them jointly with any other person.

(3) The purposes for which land, or rights in or over land, may be taken, purchased or used by the Secretary of State for Defence under the Defence Acts 1842 to 1935 or section 7 of the Lands Clauses Consolidation Acts Amendment Act 1860 shall include any purpose of his department, or of any of Her Majesty's naval, military or air forces; and Part II of the Ministry Lands Act 1892 (which provides for the making of byelaws in connection with the use of land for military purposes) shall apply in relation to land under the management of the Secretary of State as if any such purpose were a military purpose within the meaning of the said Part II.

In this and the next following subsection any reference to the Defence Acts 1842 to 1935, to section 7 of the Lands Clauses Consolidation Acts Amendment Act 1860 or to Part II of the Military Lands Act 1892 shall include any enactment amending or extending any provision thereof in its application to the Secretary of State for War.

(4) The Defence Acts 1842 to 1935 shall apply for the management, use and disposal of all lands in the United Kingdom and rights in or over land in the United Kingdom which are by subsection (2) above vested in the Secretary of State for Defence as if they had been acquired by him under those Acts:

Provided that this subsection shall not apply to any land so as to alter the purposes for which the land is held under any enactment relating specially to that land, or any restriction

affecting the use of the land and arising under any such enactment or under any stipulation agreed to on the acquisition of the land for the public service, or any right of pre-emption in respect of the land to which any person may be entitled under any such enactment or stipulation or under the Lands Clauses Acts.

(5) The corporate seal of the Secretary of State for Defence shall be authenticated by the signature of a Secretary of State or of an Under-Secretary of State in the Ministry of Defence or of any person authorised by a Secretary of State to act in that behalf ; and—

(*a*) the seal shall be officially and judicially noticed ; and

(*b*) every document purporting to be an instrument made or issued by the Secretary of State for Defence and to be sealed with the said seal authenticated in the manner provided by this subsection, or to be signed by an Under-Secretary of State in the Ministry of Defence or any person authorised as aforesaid, shall be received in evidence and be deemed to be so made or issued without further proof, unless the contrary is shown.

3.—(1) Her Majesty may by Order in Council make further provision for incidental, consequential and transitional matters arising out of the making of the arrangements described in section 1(1) above or out of the transfers effected by this Act, including provision for adapting thereto or (in so far as they are no longer required) repealing the provisions of any enactment or legislative instrument, and including also provision for savings of a transitional nature in relation to the operation of this Act.

Any provision made under the powers of this subsection may be varied or revoked by a further Order in Council, and any Order in Council containing any provision so made shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(2) Subject to any provision made under the powers of subsection (1) above or made otherwise than under this Act, any enactment or instrument shall have effect, so far as may be necessary for or in consequence of the transfers effected by this Act or any transfer of functions under the said arrangements, as if references to any of the existing service authorities (in-

cluding any reference which is to be construed as such a reference) were references to the Secretary of State or, as regards functions of the Defence Council, to the Defence Council, and as if references to the Admiralty department, the War Office or the Air Ministry or to officers of those departments (including any reference which is to be construed as such a reference) were references to the Ministry of Defence or to officers of that department, as the case may be.

(3) This Act shall not invalidate anything done before the appointed day ; and, subject to any provision made under the powers of subsection (1) above, anything which at that day is in process of being done by or in relation to any of the existing service authorities (including in particular any legal proceeding to which any of them is a party) may be continued by or in relation to the Secretary of State or, if it relates to functions of the Defence Council, by or in relation to the Defence Council.

(4) Subject to any provision made under the powers of subsection (1) above, any order, regulation, rule, direction, authority, appointment, authentication, approval or other instrument or act effective at the appointed day as that of any of the existing service authorities shall continue to have effect as that of the Secretary of State or the Defence Council, as the case may require.

(5) Where at the appointed day any existing service authority is in process of acquiring land in the United Kingdom or rights in or over such land, and the acquisition is by virtue of this section completed by the Secretary of State for Defence, section 2(4) above shall apply as if the land or rights had been vested in the Secretary of State for Defence by subsection (2) of that section.

(6) In this section, except in so far as the context otherwise requires—

(*a*) " existing service authority " means the Minister of Defence, the Admiralty, the Secretary of State for War or for Air or the Army or Air Council ; and

(*b*) " instrument " (without prejudice to the generality of that expression) includes in addition to legislative instruments and instruments of any description mentioned in subsection (4) above, judgments, decrees, awards, contracts and other documents.

4.—(1) This Act may be cited as the Defence (Transfer of Functions) Act 1964.

(2) In this Act "enactment" includes an enactment of the Parliament of Northern Ireland.

(3) Nothing in this Act shall prejudice any power exercisable by virtue of the prerogative of the Crown.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Royal Naval Reserve (Volunteer) Act 1859 ...	22 & 23 Vict. c. 40.
Lands Clauses Consolidation Acts Amendment Act 1860	23 & 24 Vict. c. 106.
Military Lands Act 1892	55 & 56 Vict. c. 43.
Air Force (Constitution) Act 1917	7 & 8 Geo. 5. c. 51.
Army Act 1955	3 & 4 Eliz. 2. c. 18.
Naval Discipline Act 1957	5 & 6 Eliz. 2. c. 53.

ACT OF PARLIAMENT to facilitate the resumption or renunciation of citizenship of the United Kingdom and Colonies

[Eliz. 2. Ch. 22] [25th March 1964]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) A person who has ceased to be a citizen of the United Kingdom and Colonies as a result of a declaration of renunciation, whether made before or after the commencement of this Act, shall be entitled to registration under this section as a citizen of the United Kingdom and Colonies on making application therefor in the prescribed manner, if he is of full capacity and satisfies the Secretary of State—

(*a*) that at the time he made the declaration he was or was about to become a citizen of a country mentioned in section

1(3) of the principal Act and either could not have remained or become such a citizen but for the declaration or had reasonable cause to believe that he would be deprived of his citizenship of that country unless he made the declaration ; and

(*b*) that he has a qualifying connection with the United Kingdom and Colonies or with a protectorate or protected state or, if a woman, has been married to a person who has or would, if living, have such a connection ;

and the Secretary of State may so register any person who would be entitled thereto if he had such a connection.

(2) A person has a qualifying connection with the United Kingdom and Colonies if he, his father or his father's father—

(*a*) was born in the United Kingdom or a colony ; or

(*b*) is or was a person naturalised in the United Kingdom and Colonies ; or

(*c*) was registered as a citizen of the United Kingdom and Colonies ; or

(*d*) became a British subject by reason of the annexation of any territory included in a colony.

(3) A person has a qualifying connection with a protectorate or protected state if—

(*a*) he was born there ; or

(*b*) his father or his father's father was born there and is or at any time was a British subject.

(4) Subject to subsection (5) of this section, the reference in subsection (2)(*b*) of this section to a person naturalised in the United Kingdom and Colonies shall include a person who would, if living immediately before the commencement of the principal Act, have become a person naturalised in the United Kingdom and Colonies by virtue of section 32(6) of that Act (local naturalisation).

(5) Any reference in this section to any country, or to countries or territories of any description, shall be construed as referring to that country or description as it exists at the date on which application under this section is made to the Secretary of State ; and subsection (2) of this section does not apply to

any person by virtue of any certificate of naturalisation granted or registration effected by the Governor or Government of a country or territory outside the United Kingdom which is not at that date a colony, protectorate or protected state.

(6) Section 8 of the principal Act (registration in Commonwealth countries and territories) and section 9 of that Act (effect of registration as a citizen) shall apply in relation to this section as they apply in relation to section 6 of that Act.

2.—(1) A declaration of renunciation of citizenship of the United Kingdom and Colonies may be made under section 19 of the principal Act by a person who is not a citizen or national of any other country and shall, if so made, be registered under that section if, but only if, the Secretary of State is satisfied that that person will after the registration become a citizen or national of some other country; and if that person does not become such a citizen or national within six months from the date of registration he shall be, and be deemed to have remained, a citizen of the United Kingdom and Colonies notwithstanding the registration.

(2) The Secretary of State may make arrangements for the exercise in any country mentioned in section 1(3) of the principal Act of any of his functions under the said section 19 by the High Commissioner or acting High Commissioner for Her Majesty's Government in the United Kingdom.

3.—(1) This Act may be cited as the British Nationality Act 1964, and this Act and the British Nationality Acts 1948[1] and 1958[2] may be cited together as the British Nationality Acts 1948 to 1964.

(2) In this Act "the principal Act" means the British Nationality Act 1948, and Part III of that Act (supplementary provisions) shall have effect as if any reference in it to that Act, except one referring to the date of the commencement of that Act, included a reference to this Act.

(3) This Act shall come into force at the expiration of a period of two months beginning with the date on which it is passed.

(1) Vol. 150, page 480.
(2) Page 1.

ACT OF PARLIAMENT to provide for the acquisition of citizenship of the United Kingdom and Colonies by certain classes of persons who would otherwise be stateless; to restrict the grounds on which persons may be deprived of such citizenship where deprivation would render them stateless; to repeal section 20(4) and section 21 of the British Nationality Act 1948(1); and to extend the powers exercisable under that Act with respect to British protected persons

[Eliz. 2. Ch. 54.] [16th July 1964]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1.—(1) A person shall be entitled, on making application to the Secretary of State in the prescribed manner, to be registered as a citizen of the United Kingdom and Colonies if he satisfies the Secretary of State that he is and always has been stateless and—

(*a*) that his mother was a citizen of the United Kingdom and Colonies at the time when he was born; or

(*b*) that he was born at a place which is at the time of the application within the United Kingdom and Colonies; or

(*c*) that he is otherwise qualified for registration under this section by parentage, or by residence and parentage, as mentioned in the Schedule to this Act (which deals with certain transitional cases).

(2) Subsection (1) above applies to persons born before as well as to persons born after the commencement of this Act, and paragraph (*a*) of that subsection applies to persons born illegitimate as well as to persons born legitimate.

(3) An application for the registration under this section of a minor may be made by his parent or guardian or, if he has attained the age of sixteen years, by the minor himself or by his parent or guardian.

(4) Section 8 of the principal Act (registration in Commonwealth countries and territories) and section 9 of that Act (effect

(1) Vol. 150, page 480.

of registration as a citizen) shall apply in relation to this section as they apply in relation to section 6 of that Act ; but a male person who becomes a citizen of the United Kingdom and Colonies by virtue of paragraph (*a*) or (*c*) of subsection (1) above shall be deemed for the purposes of the proviso to section 5(1) of the principal Act (transmission of citizenship) to be a citizen of the United Kingdom and Colonies by descent only.

2.—(1) A person born within the United Kingdom and Colonies after the commencement of this Act shall be a citizen of the United Kingdom and Colonies by birth if his mother was a citizen of the United Kingdom and Colonies at the time when he was born and he would, apart from this subsection, be stateless.

(2) Where after the commencement of this Act a new-born infant is found abandoned within the United Kingdom and Colonies, that infant shall, unless the contrary is shown, be deemed to have been born within the United Kingdom and Colonies.

3.—(1) The Secretary of State shall not withhold his permission under paragraph (*b*) of the proviso to section 5(1) of the principal Act for the registration of the birth of any person after the expiration of the period prescribed by that paragraph if it appears to him that that person is and always has been stateless and would have been a citizen of the United Kingdom and Colonies by descent if his birth had been registered within that period.

(2) The Secretary of State shall not withhold his permission under paragraph (*b*) of section 1(2) of the British Nationality and Status of Aliens Act 1943[2] (as applied by section 17 of the principal Act) for the registration of the birth of any person if it appears to him that that person is and always has been stateless and would become a citizen of the United Kingdom and Colonies or a British subject without citizenship if his birth were registered in accordance with that paragraph.

4.—(1) The Secretary of State shall not deprive any person of his citizenship on the ground mentioned in section 20(3)(*c*) of the principal Act (conviction of criminal offence) if it appears to him that that person would thereupon become stateless.

(2) Vol. 145, page 23.

(2) Section 20(4) of the principal Act (deprivation for long residence in foreign countries) and section 21 of that Act (deprivation where person deprived of citizenship elsewhere) are hereby repealed.

5. An Order in Council under section 32(1) of the principal Act (designation of British protected persons) may declare to be British protected persons for the purposes of that Act any class of persons who are connected with a territory which has ceased to be a protectorate, protected state or trust territory when the Order is made and who are not citizens of any country mentioned in section 1(3) of that Act which is constituted by that territory or of which that territory forms part.

6.—(1) This Act may be cited as the British Nationality (No. 2) Act 1964, and shall be included among the Acts which may be cited as the British Nationality Acts 1948 to 1964.

(2) In this Act "the principal Act" means the British Nationality Act 1948, and Part III of that Act (supplemental provisions) shall have effect as if any reference in it to that Act, except one referring to the date of the commencement of that Act, included a reference to this Act.

(3) This Act shall come into force at the expiration of the period of two months beginning with the date on which it is passed.

SCHEDULE

TRANSITIONAL QUALIFICATIONS

Parentage

1.—(1) A person born before the commencement of the principal Act is qualified for registration under section 1 of this Act by parentage if—

(*a*) his mother was a British subject at the time when he was born or a person who, by virtue of section 14 of that Act, is deemed (or would but for her death be deemed) to have been a British subject immediately before the commencement of that Act; or

(*b*) his father or mother was a person who, by virtue of section 15 or 17 of that Act, is deemed (or would but for his or her death be deemed) to have been a British subject immediately before the commencement of that Act;

and, in either case, the relevant parent became (or would but for his or her death have become) a citizen of the United Kingdom and Colonies at the commencement of that Act.

(2) For the purposes of sub-paragraph (1)(*a*) above a person who by the law in force in any colony or protectorate enjoyed the privileges of naturalisation within that colony or protectorate only shall be treated as having been a British subject.

2. A person born before or after the commencement of the principal Act is qualified for registration under section 1 of this Act by parentage if his father or mother has become (or would but for his or her death have become) a citizen of the United Kingdom and Colonies by virtue of section 13(2) of that Act or has become such a citizen by virtue of section 16(2) of that Act.

Residence and parentage

3.—(1) Subject to sub-paragraph (5) below, a person is qualified for registration under section 1 of this Act by residence and parentage if he has been ordinarily resident in the United Kingdom and Colonies throughout the period of three years ending with the date of his application and he has the qualifications mentioned in sub-paragraph (2), (3) or (4) of this paragraph.

(2) A person born before the commencement of the principal Act has the said qualifications if—

(*a*) his mother was a British subject at the time when he was born or a person who, by virtue of section 14 of that Act, is deemed (or would but for her death be deemed) to have been a British subject immediately before the commencement of that Act; or

(*b*) his father or mother was a person who, by virtue of section 15 or 17 of that Act, is deemed (or would but for his or her death be deemed) to have been a British subject immediately before the commencement of that Act;

and, in either case, the relevant parent remained (or would but for his or her death have remained) a British subject without citizenship as from the commencement of that Act.

(3) A person born before the commencement of the principal Act has the said qualifications if—

(*a*) his father or mother has become a British subject without citizenship by virtue of section 16(2) of that Act; or

(*b*) his mother was a British subject at the time when he was born and remained a British subject by virtue of a notice under section 2(1) of that Act.

(4) A person born after the commencement of the principal Act has the said qualifications if his father or mother—

(*a*) was a British subject without citizenship at the time when that person was born; or

(*b*) has subsequently become a British subject without citizenship by virtue of section 16(2) of that Act; or

(*c*) was a British subject at the time when that person was born by virtue of a notice under section 2(1) of that Act (whether given before or after that time).

(5) A person shall not be treated as qualified for registration under section 1 of this Act by virtue of sub-paragraph (2) or (3)(*a*) above if the relevant parent has become (or would but for his death have become) a citizen of any country mentioned in section 1(3) of the principal Act of which he was (or would but for his death have been) potentially a citizen at the commencement of that Act.

(6) For the purposes of this paragraph residence in a protectorate shall be treated as residence in the United Kingdom and Colonies, and references to a colony or a protectorate shall be construed as references to any territory which is a colony or protectorate at the time of the application.

Legitimacy and legitimation

4. The foregoing provisions of this Schedule apply, where the relevant parent is the mother, to persons born illegitimate as well as to persons born legitimate; and, where the relevant parent is not the mother, section 23 of the principal Act shall apply for the purpose of determining whether a person is qualified under those provisions as it applies for the purposes mentioned in that section.

ACT OF PARLIAMENT to vest in the United States of America a site at Runnymede forming part of the Crown Estate to be preserved in perpetuity in memory of the late President John F. Kennedy for the use and enjoyment of the public under the control and management of the Trustees of the Kennedy Memorial Fund

[Eliz. 2. Ch. 85] [31st July 1964]

Whereas it has been arranged between Her Majesty's Government and the Government of the United States of America, with Her Majesty's approval, that a site at Runnymede forming part of the Crown Estate (being the land described in the Schedule to this Act and delineated upon plans deposited with the Public Record Office and presented to Parliament by the Prime Minister by Command of Her Majesty) be transferred to and vested in the United States of America by way of gift from Her Majesty, to be preserved in perpetuity for the use and enjoyment of the public in memory of the late President John F. Kennedy under the control and management of the Trustees hereinafter mentioned:

And whereas by virtue of a Trust Deed dated the 4th day of July 1964 and made between The Right Honourable Alderman Clement James Harman, Lord Mayor of London, of the one part, and the Trustees therein named of the other part, copies of which have been presented to Parliament as aforesaid, the money and property comprised in the Kennedy Memorial Fund therein mentioned (representing money subscribed by the

public for the purpose) are to be held by those Trustees, and other Trustees to be appointed under the said Deed and their successors, upon the following Trusts, that is to say—

(*a*) to secure and lay out as a place for the benefit of the public and to which the public will have access the said site at Runnymede, and protect, preserve and maintain that site as a place to which the public have access;

(*b*) to establish scholarships for students of either sex from all regions of the United Kingdom at all or any of the following places of education in the State of Massachusetts, namely Harvard University, Radcliffe College and the Massachusetts Institute of Technology:

And whereas it is expedient to make provision by Act of Parliament for the transfer and vesting of the said site at Runnymede as aforesaid, and for giving effect to the trusts of the said Deed so far as they relate thereto:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. The land described in the Schedule to this Act is hereby transferred to and vested in the United States of America for an estate in fee simple absolute, to be held in perpetuity under the control and management of the Trustees of the Kennedy Memorial Fund for the use and enjoyment of the public in accordance with the said Trust Deed.

2.—(1) In relation to the said land, the Trustees of the Kennedy Memorial Fund shall have all such rights and powers, and shall be subject to all such obligations, as if they were owners of the estate hereby vested in the United States of America, and may exercise those rights and powers in any manner consistent with the purposes of section 1 of this Act and of the said Trust Deed so far as it relates to the land.

(2) The power of the Trustees to control and manage the said land shall include power to determine the times at which and the conditions subject to which the public may have access thereto.

3.—(1) This Act may be cited as the John F. Kennedy Memorial Act 1964.

(2) This Act shall come into force on such date as the Treasury may by order appoint, being a date not earlier than the termination of any tenancy which subsists in the said land at the passing of this Act.

SCHEDULE

THE SITE AT RUNNYMEDE

All that piece or parcel of land comprising three acres or thereabouts in the Parish of Egham in the County of Surrey being part of the pasture land comprised in Enclosures numbered 15 and 16 respectively on the Ordnance Survey Map of the said Parish Sheets No. Surrey IV 8, 4 & 7 (Edition of 1914) and part of the footpath shown as Enclosure No. 24a on the said Map which said land on the north-east side adjoins open meadow the property of the National Trust for Places of Historic Interest and Natural Beauty and on the south-east side adjoins a plantation the property of the said National Trust and on the remaining sides adjoins property forming part of the Crown Estate and known as Priest Hill Englefield Green.

ROYAL PROCLAMATION for the Dissolution of Parliament. —London, 25th September, 1964(1)

BY THE QUEEN

A PROCLAMATION

FOR DISSOLVING THE PRESENT PARLIAMENT, AND DECLARING THE CALLING OF ANOTHER

ELIZABETH R.

Whereas We have thought fit, by and with the advice of Our Privy Council, to dissolve this present Parliament; We do, for that End, publish this Our Royal Proclamation, and do hereby dissolve the said Parliament accordingly: and the Lords Spiritual and Temporal, and the Members of the House of Commons, are discharged from further Attendance thereat: And We being desirous and resolved, as soon as may be, to

(1) Published in the Supplement to *The London Gazette* of 25th September, 1964.

meet Our People, and to have their Advice in Parliament, do hereby make known to all Our loving Subjects Our Royal Will and Pleasure to call a new Parliament: And do hereby further declare, that, by and with the advice of Our Privy Council, We have given Order that Our Chancellor of Great Britain and Our Governor of Northern Ireland do respectively, upon Notice thereof, forthwith issue out Writs, in due Form and according to Law, for calling a new Parliament: And We do hereby also, by this Our Royal Proclamation under Our Great Seal of Our Realm, require Writs forthwith to be issued accordingly by Our said Chancellor and Governor respectively, for causing the Lords Spiritual and Temporal and Commons who are to serve in the said Parliament to be duly returned to, and give their Attendance in, Our said Parliament on Tuesday, the twenty-seventh day of October next, which Writs are to be returnable in due course of Law.

Given at Our Court at Buckingham Palace, this twenty-fifth day of September, in the year of our Lord One thousand nine hundred and sixty-four, and in the Thirteenth year of Our Reign.

GOD SAVE THE QUEEN

STATEMENT by Her Majesty's Government on the consequences of a unilateral declaration of independence by Southern Rhodesia.—London, 25th October, 1964

The British Government look forward to the day when Southern Rhodesia can take her place as an independent sovereign State within the Commonwealth. The decision to grant independence rests entirely with the British Government and Parliament and they have a solemn duty to be satisfied that before granting independence it would be acceptable to the people of the country as a whole. Indeed, the present Government of Southern Rhodesia have already recognised that independence must be based on general consent and that the British Government are entitled to be satisfied about this.

The British Government trust, therefore, that the progress of Southern Rhodesia will proceed on constitutional lines. Nevertheless, in view of reports that there might be a resort to

a unilateral declaration of independence they find it necessary to declare what serious consequences would flow from such an act. The British Government cannot believe that once the consequences have been made clear the Government and people of Southern Rhodesia will take an irrevocable step of this kind.

A mere declaration of independence would have no constitutional effect. The only way Southern Rhodesia can become a sovereign independent State is by an act of the British Parliament. A declaration of independence would be an open act of defiance and rebellion and it would be treasonable to take steps to give effect to it.

In the final communiqué of the meeting of Commonwealth Prime Ministers in July[1] it was made clear that no Commonwealth Government would be able to recognise a unilateral declaration. There would be no prospect of Southern Rhodesia becoming a member of the Commonwealth with all the economic consequences that would then ensue.

The British Government would be bound to sever relations with those responsible for such a declaration. It would not be possible for Southern Rhodesia to establish a new and special relationship with the Crown or with Britain. The British Government would not be prepared to advise Her Majesty to accede to any request that she should become a separate Sovereign of a territory which has rebelled. The ultimate result would inevitably be that Southern Rhodesians would cease to be British subjects.

The reactions of foreign Governments would likewise be sharp and immediate. With one or two exceptions they are likely to refuse to recognise Southern Rhodesia's independence or to enter into relations with her. Many of them might recognise a Government in exile if, as seems probable, one were established.

The economic effects would be disastrous to the prosperity and prospects of the people of Southern Rhodesia. All financial and trade relations between Britain and Southern Rhodesia would be jeopardised. Any further aid or any further access to the London market would be out of the question. Indeed, most serious consequences would be involved for anyone in the United Kingdom who afforded aid, financial or otherwise,

(1) Page 570.

to the illegal Government. Southern Rhodesia's external trade would be disrupted.

In short, an illegal declaration of independence in Southern Rhodesia would bring to an end relationships between her and Britain, would cut her off from the rest of the Commonwealth, from most foreign Governments and from international organisations, would inflict disastrous economic damage upon her and would leave her isolated and virtually friendless in a largely hostile continent.

THE QUEEN'S SPEECH on the Opening of Parliament.—Westminster, 3rd November, 1964

MY LORDS AND MEMBERS OF THE HOUSE OF COMMONS

My Husband and I look forward with pleasure to our forthcoming visits to Ethiopia and the Sudan and to the Federal Republic of Germany. We were glad to be in Canada last month to attend the centennial celebrations commemorating the conferences held at Charlottetown and Quebec City in 1864 and to pay a further visit to Ottawa.

In international affairs it will be the principal purpose of My Ministers to seek to reduce East-West tension. To this end they will give renewed and more vigorous support to the United Nations in its vital rôle of freeing the world from the threat of war ; and they will consider how this country can make a more effective contribution to the Organisation's peace-keeping capability. They will seek to encourage further progress towards disarmament and to contribute to other steps which will permit the East-West conflict to be replaced by international co-operation in promoting peace and security throughout the world.

My Government reaffirm their support for the defence of the free world—the basic concept of the Atlantic Alliance ; and they will continue to play their full part in the North Atlantic Treaty Organisation and in other organisations for collective defence. They will review defence policy to ensure, by relating our commitments and our resources, that My Armed Forces are able to

discharge their many tasks overseas with the greatest effectiveness and economy. In particular, they will make constructive proposals for renewing the inter-dependence of the Atlantic Alliance in relation to nuclear weapons, in an endeavour to prevent duplication of effort and the dissemination of weapons of mass destruction.

New arrangements have been made to aid and encourage the economic and social advance of the developing nations, including the remaining dependent territories. My Ministers will also endeavour to promote the expansion of trade to this end, and they will seek, in co-operation with other countries and the United Nations and its agencies, to stimulate fresh action to reduce the growing disparities of wealth and opportunity between the peoples of the world.

My Ministers will have a special regard to the unique rôle of the Commonwealth, which itself reflects so many of the challenges and opportunities of the world. They will foster the Commonwealth connection on a basis of racial equality and close consultation between Member Governments and will promote Commonwealth collaboration in trade, economic development, educational, scientific and cultural contacts and in other ways.

My Government will continue to play a full part in the European organisations of which this country is a member and will seek to promote closer European co-operation.

A Bill will be introduced to provide for the independence of the Gambia.

Members of the House of Commons

Estimates for the public services will be laid before you.

My Lords and Members of the House of Commons

At home My Government's first concern will be to maintain the strength of sterling by dealing with the short-term balance of payments difficulties and by initiating the longer-term structural changes in our economy which will ensure purposeful expansion, rising exports and a healthy balance of payments.

Our industries will be helped to gain the full benefits of advances in scientific research and applied technology.

Central and regional plans to promote economic development, with special reference to the needs of the under-employed areas of the country, are being prepared. New arrangements will ensure proper attention to the needs of Wales. Legislation will be introduced to provide for the appointment of a Highland Development Board.

My Government will initiate early action to re-establish the necessary public ownership and control of the iron and steel industry.

To foster the health and prosperity of agriculture, they will continue the system of guarantees under the existing Acts and will promote measures to secure better marketing arrangements for farm produce. They will encourage the development of the fishing industry and the steady expansion of forestry.

My Government will call on trade unions and employers' organisations to co-operate in eliminating those restrictive practices, on both sides of industry, which impair our competitive power and the development of the full potential of the economy. They will take steps to improve industrial efficiency by dealing more effectively with monopolies and with problems arising from mergers. They will also take action to improve the arrangements for industrial training and for the retraining of workers changing their employment. A Bill will be introduced to give workers and their representatives the protection necessary for freedom of industrial negotiation.

To the end that all may share the benefits of rising productivity, My Ministers will work for more stable prices and a closer relationship between the increase in productivity and the growth of incomes in all their forms; and they will promote reforms in taxation and better arrangements for local government finance. They will pay special attention to protecting the interests of consumers.

Action will be taken to require companies to disclose political contributions in their accounts.

My Government will have particular regard for those on whom age, sickness and personal misfortune impose special disabilities. They believe that radical changes in the national schemes of social security are essential to bring them into line with modern needs. They will therefore embark at once

upon a major review of these schemes. Meanwhile, they will immediately introduce legislation to increase existing rates of National Insurance and associated benefits.

Action will be proposed to modernise and develop the health and welfare services. Steps will be taken to increase the number of doctors and other trained staff in the National Health Service. Prescription charges for medicines will be abolished.

My Ministers will enlarge educational opportunities and give particular priority to increasing the supply of teachers. Bills will be introduced to establish new machinery for determining teachers' pay in England and Wales and for the governance of the teaching profession in Scotland.

My Government will pursue a vigorous housing policy directed to producing more houses of better quality, and will promote the modernisation of the construction industry. They will restore control of rents, they will establish as rapidly as possible a Crown Lands Commission with wide powers to acquire land for the community; and they will provide for leasehold enfranchisement. In conjunction with a progressive transport policy and a system of comprehensive regional planning, these measures will be directed to providing a fresh social environment in keeping with the needs and aspirations of the time.

My Government will be actively concerned to build up the strength and efficiency of the police, to improve the penal system and the after-care of offenders, and to make more effective the means of sustaining the family and of preventing and treating delinquency. Facilities will be provided for a free decision by Parliament on the issue of capital punishment.

My Government are studying the report, which they have recently received, of the Committee appointed last year on the Remuneration of Ministers and Members of Parliament.

Other measures will be laid before you.

In all their policies My Government will be concerned to safeguard the liberties of My subjects. They will take action against racial discrimination and promote full integration into the community of immigrants who have come here from the Commonwealth. They will propose the appointment of Law Commissioners to advance reform of the law, and will propose

new measures for the impartial investigation of individual grievances. In so doing they will be acting in the spirit which has always animated Parliament, whose seven hundredth anniversary will be recorded in this Session. In that same spirit I pray that the blessing of Almighty God may rest upon your counsels.

SPEECH by the Prime Minister on proposals for the creation of an Atlantic nuclear force.—House of Commons, Westminster, 16th December, 1964[1]

(Extracts)

The Prime Minister (Mr. Harold Wilson) :

We . . . propose the creation of an Atlantic nuclear force. This would have the following components. First, the British V-bomber force except for those aircraft which are needed for existing commitments outside the N.A.T.O. area. Those are reserved. Second, the British fleet of Polaris submarines to which I referred in the debate on 23rd November. Third, at least an equal number of United States Polaris submarines. Fourth, some kind of mixed-manned and jointly owned element in which the existing non-nuclear Powers could take part, and, fifth, in the circumstances I have mentioned, any forces which France may decide to subscribe. I shall say a few words in a moment about our ideas about the mixed-manned element.

The national element in the Atlantic nuclear force will be committed to that force for as long as the Alliance lasts. The force would be under a single authority in which all countries taking part would be entitled to be represented. The United States, the United Kingdom, and France, if she took part, would have a veto over the use of all elements in the force and over any changes which might at any time be proposed in the control system—that is, Britain and the United States. Any other country participating would also have a veto if it

(1) H.C. Deb. Vol. 704, cols. 434–439.

wanted, though collectively they could, if they so desired, exercise their veto as a single group. In other words, European countries could either have a single veto or, if they wanted to do it on some group basis, that would be a matter for them.

The authority governing the force, acting entirely on instructions from Governments, would have these duties: to provide the force commander with political guidance; to approve the force commander's targeting and operational plans for the use of all weapons of the force; to take the decision to release nuclear weapons to the force commander; to develop agreed policy on the rôle of all types of strategic and tactical nuclear weapons; and, fifthly, to consult and discuss possible contingencies anywhere in the world which could give rise to the possibility of nuclear weapons being used. There would be co-ordination of targeting by the Atlantic nuclear force with the targeting of all United States forces in the Atlantic area.

To ensure that the new arrangements could not result in, or be accused of leading to, dissemination of nuclear weapons, and in particular to ensure that they could not be represented as bringing any new fingers nearer to the nuclear trigger, the charter of the force should have clauses under which the nuclear members would undertake not to disseminate nuclear weapons, and the non-nuclear members would undertake not to acquire them or to acquire control over them. This would mean an undertaking—this goes beyond the Brussels Treaty(2)—by all non-nuclear Powers not only that they will not manufacture nuclear weapons, but also that they will neither own nor control them. There should be a further prohibition of nuclear weapons passing into the control or ownership not only of individual non-nuclear countries but also any group of such countries which may be formed.

* * * * * * *

On the subject of the mixed-manned component, in which existing non-nuclear countries could be enabled to take part in manning and managing nuclear weapon systems, this again would have to be done in such a way as to avoid transgressing

(2) Vol. 150, page 672.

the principles of non-dissemination. There have been discussions in Europe—indeed, initiatives have been taken by the previous Government in this country—about a possible land-based component. We have made it clear for our part that we should not wish to contribute to a surface-ship component over and above our national contribution to the force, though we are prepared to continue discussions about a land-based component which right hon. Members opposite started. It is our view that the creation of a new strategic force of surface ships armed with Polaris missiles is the least desirable way of applying the mixed-manned principle. If the total Western missile strength were increased, I would further say that we would assume a corresponding reduction in total national missile strengths, so we are not talking about adding to the West's total missile strength.

* * * * * * *

While we regard these proposals as the best way to meet the problems of the alliance and to prevent dissemination, our American friends feel that both these new proposals and existing proposals—that is, the proposals for the surface fleet—should be further discussed with our allies, to discover on what basis agreement could be reached.

While this has been agreed, it would be wrong for me to suggest that the United States Administration have dropped the previous proposals for a mixed-manned surface fleet. At the same time, as far as we are concerned we have entirely reserved our position on whether such a fleet should be created and we have expressed our views on it, which I have just given. We have made no commitment whatsoever on this point; *a fortiori,* we have positively made no commitment whatsoever about any possible British contribution to such a fleet if it were to be created.

To sum up, then, the whole emphasis of our talks and of our policy is on stopping the spread of nuclear weapons and providing the maximum consultations about the use of those which exist, in terms which have been made familiar in recent public discussions—indeed, I share a responsibility—to place an absolute ban on any more fingers on the trigger: our eyes are directed to more fingers on the safety catch. . . .

AGREEMENT on Mutual Defence and Assistance between the United Kingdom and Malta, with Exchange of Letters.—Malta, 21st September, 1964[1]

PREAMBLE

Whereas Malta is a sovereign independent state within the Commonwealth,

And whereas the Government of Malta and the Government of the United Kingdom of Great Britain and Northern Ireland desire to provide for their mutual defence and to contribute to the maintenance of peace in accordance with the Charter of the United Nations, and generally to help promote stability and security,

Now therefore the Government of Malta and the Government of the United Kingdom of Great Britain and Northern Ireland have agreed as follows.

ARTICLE 1

The Government of Malta and the Government of the United Kingdom each undertake to afford to the other the assistance specified in this Agreement.

ARTICLE 2

The Government of Malta and the Government of the United Kingdom each undertake to afford to the other assistance for mutual defence and to consult together on the measures to be taken jointly or separately to ensure the fullest co-operation between them for this purpose.

ARTICLE 3

The two Governments will foster the closest co-operation between the armed forces of the two countries. If so requested by the Government of Malta, the Government of the United Kingdom, after taking account of other demands on its resources, will provide assistance or advice, in such manner and to such extent as may be agreed, including:

(1) Treaty Series No. 54 (1966) (Cmnd. 3110).

(*a*) personnel to assist in the staffing, administration and training of the armed forces of Malta ;

(*b*) facilities, including instructional courses abroad, for training members of the armed forces of Malta ;

(*c*) expert advice and assistance in operational and technical matters ;

(*d*) use of facilities in Malta under the control of the British forces for the maintenance and logistic support of the armed forces of Malta ; and

(*e*) assistance in the supply of equipment for the armed forces of Malta.

ARTICLE 4

The Government of Malta grants to the Government of the United Kingdom in peace and war the right to station armed forces and associated British personnel in Malta and to use facilities there for the purposes of mutual defence, the fulfilment of international or Commonwealth obligations, the assistance of other nations in maintaining their independence and stability, or the protection of the citizens of the United Kingdom and Colonies or of Malta.

The Annex(2) to this Agreement shall govern the rights and facilities to be afforded in Malta to the Government of the United Kingdom and to its armed forces and associated British personnel.

ARTICLE 5

Except under arrangements made between the two Governments no forces, other than the forces of Malta and the United Kingdom, shall be stationed in Malta or be permitted to use harbour, dockyard, airfield, staging or communications facilities in Malta, unless the use is rendered necessary by distress in the course of sea or air navigation or to establish such facilities in Malta ; provided that this Article shall not apply to the forces of any Party to the North Atlantic Treaty(3), to which the Government of Malta may accord any such rights

(2) Not reproduced here.
(3) Vol. 154, page 479.

or facilities which do not impede the exercise of the rights or the use of the facilities granted to the Government of the United Kingdom under this Agreement.

ARTICLE 6

The Government of the United Kingdom will consult the Government of Malta when major changes in the British forces in Malta which might have significant effects on the defence or economy of Malta are contemplated.

ARTICLE 7

Arrangements shall be made for consultation between the Government of Malta and the Government of the United Kingdom and their respective authorities on the operation of this Agreement and each Government shall have the right to raise with the other at any time any question as to the application of this Agreement, where that is materially affected by any change of circumstances.

ARTICLE 8

Nothing in this Agreement is intended to or shall in any way prejudice the rights and obligations which devolve or may devolve upon either Government under the Charter of the United Nations(4).

ARTICLE 9

The Annex(2) to this Agreement shall have force and effect as an integral part of this Agreement and this Agreement shall be interpreted in accordance with the provisions of Part 1 of the Annex.

ARTICLE 10

This Agreement shall come into force on the date of signature and shall remain in force for a period of ten years thereafter.

(4) Vol. 145, page 805.
(2) Not reproduced here.

In witness whereof the undersigned, being duly authorised thereto by their respective Governments, have signed this Agreement.

Done at Malta in duplicate this 21st day of September 1964.

For the Government of the United Kingdom of Great Britain and Northern Ireland

DUNCAN SANDYS

For the Government of Malta

G. BORG OLIVIER

EXCHANGE OF LETTERS ON THE CIVIL DOCKYARD IN MALTA

(No. 1)—*The Secretary of State for Commonwealth Relations and for the Colonies to the Prime Minister of Malta*

British High Commission,
Malta, G.C.

21st September, 1964.

I have the honour to refer to the request of the Government of Malta that on the independence of Malta the title of the civil dockyard should be transferred to the Government of Malta. In connection with this request the Government of Malta have stated their intention that the transfer should be subject to the lease granted to Bailey (Malta) Ltd. dated the 28th March 1959 so that the Government of Malta would assume all the rights and obligations of the lessor under the lease, save those which only subsist while Her Majesty's Principal Secretary of State for Defence (as successor to the Admiralty) continues as lessor.

2. Accordingly I have the honour to set out the arrangements in regard to the civil dockyard in Malta which have been agreed between representatives of the Government of the United Kingdom of Great Britain and Northern Ireland and representatives of the Government of Malta, in pursuance of Section 1 of Part 4 of the Annex to the Agreement on Mutual Defence

and Assistance signed on behalf of our respective Governments in Malta on the 21st September 1964 :

(*a*) Our two Governments recognise the need for continuing consultation and co-operation in regard to their respective interests in the civil dockyard ;

(*b*) The lands (referred to in this letter as the civil dockyard site) to which these arrangements apply are the parcels of land shown on certain plans deposited in the Notarial Archives at Valletta, together with all improvements and hereditaments, corporeal and incorporeal, attaching or pertaining thereto, and are the subject of a lease granted by the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland to Bailey (Malta) Ltd. and dated the 28th March 1959 ;

(*c*) The absolute ownership, right and title of Her Majesty's Principal Secretary of State for Defence (as successor to the Admiralty) in the civil dockyard site shall, subject to the said lease, vest in or be transferred to the Government of Malta, the Government of Malta ensuring the enactment of any legislation which may be necessary for this purpose ;

(*d*) As from the vesting or transfer referred to in sub-paragraph (*c*) coming into effect, the Government of Malta shall assume in succession to the said Secretary of State for Defence all his rights and obligations under the said lease, to the exclusion of the said Secretary of State for Defence and the Government of the United Kingdom, except in so far as this letter otherwise provides ;

(*e*) The assumption by the Government of Malta in pursuance of the said Agreement and of these arrangements of the rights and obligations referred to in sub-paragraph (*d*) shall not extend to any rights or obligations which subsist only while the said Secretary of State for Defence remains the lessor under the lease ;

(*f*) The authorities of Malta shall arrange that the British authorities will continue to be able to exercise the rights reserved in favour of the Secretary of State for Defence in Conditions 9 (2) and 20 of the said lease under the conditions therein contained, and the British authorities will arrange that the lessees will continue to be able to exercise the rights

granted in their favour in Condition 21 of the said lease under the conditions therein contained. Subject to the foregoing provisions of this sub-paragraph the civil dockyard site, and the cables, pipelines and other installations referred to in the said Condition 20 shall not for the purposes of the said Agreement be regarded as a service establishment or as service installations, as the case may be ;

(*g*) The vesting or transfer referred to in sub-paragraph (*c*) shall not affect the continued operation of the hypothecation in favour of Her Majesty of the property of Bailey (Malta) Ltd. (including that Company's interest in the civil dockyard site) effected by a Deed dated the 11th September 1959 ;

(*h*) The Government of Malta shall without delay notify the Government of the United Kingdom of any proposal known to them involving any change in the rights and interests in and over the civil dockyard held by Bailey (Malta) Ltd. by virtue of the said lease ;

(*i*) The vesting or transfer of the civil dockyard site referred to in sub-paragraph (*c*) shall also extend to all other property which is by virtue of the lease there referred to now on lease to Bailey (Malta) Ltd.

3. I have the honour to suggest that, if these arrangements are acceptable to the Government of Malta, this letter, together with your reply to that effect, shall be regarded as constituting an agreement in this matter between the Government of the United Kingdom and the Government of Malta, which shall be read as one with the said Agreement on Mutual Defence and Assistance.

DUNCAN SANDYS

(No. 2)—*The Prime Minister of Malta to the Secretary of State for Commonwealth Relations and for the Colonies*

Auberge d'Aragon,
Malta.

21st September, 1964.

I have the honour to acknowledge the receipt of your letter of today's date, which reads as follows:—

[As in No. 1]

The arrangements set out in that letter are acceptable to the Government of Malta, and I have the honour, therefore, to confirm that that letter, together with this reply, shall constitute an agreement accordingly, and shall be read as one with the said Agreement on Mutual Defence and Assistance.

G. BORG OLIVIER

EXCHANGE OF LETTERS ON THE FLIGHT INFORMATION CENTRE IN MALTA

(No. 1)—*From the Secretary of State for Commonwealth Relations and for the Colonies to the Prime Minister of Malta*

British High Commission,
Malta, G.C.
21st September, 1964.

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Malta in concluding the Agreement on Mutual Defence and Assistance have noted that there is a significant military use of the services and facilities of the Flight Information Centre located at Luqa. This letter sets out the way in which it has been proposed this military use will be reflected in a payment from the Government of the United Kingdom to the Government of Malta.

2. The Flight Information Centre services and facilities fall into the following four main categories:

(*a*) Meteorological Communications ;

(*b*) Services and facilities solely for Royal Air Force purposes ;

(*c*) Air Traffic Control services ; and

(*d*) Aeronautical Fixed Telecommunications Network.

Of these, the Meteorological Communications shall be the financial responsibility solely of the Government of Malta, and facilities and services provided exclusively for military use that of the Government of the United Kingdom.

3. The recurrent annual costs of the Air Traffic Control Service and the Aeronautical Fixed Telecommunications Network shall be divided between the Government of Malta and the Government of the United Kingdom on the basis of the proportion of United Kingdom military use to total use of the Air Traffic Control Service. This proportion, averaged for each financial year, shall be used as a basis for dividing the costs of both these groups of services and facilities. The contribution of the Government of the United Kingdom shall in any event be not less than £40,000 annually so long as these services and facilities are maintained to at least the present standards. Capital expenditure would have to be the subject of separate arrangements.

4. These arrangements may on the request of either Government be reviewed at any time if the location of the Flight Information Centre has to be reconsidered as a result of International Civil Aviation Organisation Regional arrangements, or if the Government of Malta wishes to conclude an agreement for any period extending beyond 1st April 1970.

5. The Government of Malta shall provide the Government of the United Kingdom with such information as the Government of the United Kingdom may require and the Government of Malta is in a position to provide concerning the services and facilities under (*b*) (*c*) and (*d*) of paragraph 2 of this letter.

6. The present arrangements regarding the military use of the Flight Information Centre in Malta shall continue to apply until 1st April 1965.

7. If these proposals are acceptable to the Government of Malta I suggest that this letter and your reply to that effect shall be regarded as constituting an Agreement between the two Governments which shall enter into force on 1st April 1965 and shall remain in force for a period of five years thereafter.

DUNCAN SANDYS

(No. 2)—*The Prime Minister of Malta to the Secretary of State for Commonwealth Relations and for the Colonies*

Auberge d'Aragon,
Malta.
21st September, 1964.

I have the honour to acknowledge the receipt of your letter of the 21st September, 1964, which reads as follows:

[As in No. 1]

2. In reply I have to inform you that the foregoing is acceptable to the Government of Malta who therefore regard your letter and this reply as constituting an Agreement between the two Governments in this matter which shall enter into force on 1st April 1965 and shall remain in force for a period of five years thereafter.

G. BORG OLIVIER

AGREEMENT on Financial Assistance between the United Kingdom and Malta, with Annex.—Malta, 21st September, 1964[1]

PREAMBLE

Whereas the Government of the United Kingdom of Great Britain and Northern Ireland, having regard to the special problems of the economy of Malta, desire to assist the Government of Malta in the diversification and development of the economy of Malta,

And whereas the Government of Malta and the Government of the United Kingdom of Great Britain and Northern Ireland have to-day concluded a ten-year Agreement on Mutual Defence and Assistance[2],

Now therefore the Government of Malta and the Governmen of the United Kingdom of Great Britain and Northern Ireland have agreed as follows.

(1) Treaty Series No. 55 (1966) (Cmnd. 3111).
(2) *See* immediately preceding document.

ARTICLE 1

Subject to the provisions of the present Agreement the Government of the United Kingdom will during the three years ending on the 31st March 1967 make available to the Government of Malta amounts not exceeding in total £18·8 million. Of this sum a maximum of £6·8 million may be drawn in the year ending on the 31st March 1965, and a maximum of £6 million in each of the years ending on the 31st March 1966 and the 31st March 1967. The amount for each year will be drawn in quarterly instalments in advance, according to requirements.

ARTICLE 2

During the seven years beginning on the 1st April 1967 but subject at all times to the continued operation of the Agreement on Mutual Defence and Assistance, the Government of the United Kingdom will, subject to the provisions of the present Agreement, make available to the Government of Malta amounts not exceeding in total £31·2 million. The maximum amounts which may be drawn in each of these seven years will be the subject of future discussion between the Government of the United Kingdom and the Government of Malta. The amount for each year will be drawn in quarterly instalments in advance, according to requirements.

ARTICLE 3

(1) Financial assistance towards the diversification and development of the economy of Malta during the five years ending on the 31st March 1969, will be devoted primarily to schemes related to the following heads of expenditure under the second five year development plan of the Malta Government:

Water
Port Development
Electricity
Industrial Development
Tourism
Agriculture
Fisheries
Higher Education
Technical Education

(2) Subject to the provisions of Articles 1 and 2 of the present Agreement and of paragraph (1) and (4) of this Article, the Government of the United Kingdom will also provide financial assistance during the five years ending on the 31st March, 1969 towards:

(*a*) schemes related to other heads of expenditure under the said development plan up to a total of £5 million ;

(*b*) other jointly selected schemes ;

(*c*) the costs of emigration at levels to be agreed from time to time between the two Governments.

(3) The purposes for which United Kingdom assistance under this Agreement will be provided in the five years ending on the 31st March, 1974, will be the subject of future discussion between the two Governments.

(4) The Government of Malta will furnish the Government of the United Kingdom with detailed proposals for projects within each of the heads of the development plan to which in accordance with paragraphs (1) and (2)(*a*) of this Article United Kingdom assistance is to be devoted, and such projects, if jointly agreed, and any projects selected under paragraph (2)(*b*), in such form as may be agreed between the two Governments, will be the basis on which gifts and loans will be made.

ARTICLE 4

(1) Financial Assistance provided under the provisions of this Agreement may, with the prior agreement of the Government of the United Kingdom be used to meet local costs. As much as possible of such aid shall be spent on United Kingdom goods and services. Imports of goods and services into Malta for the purposes of projects towards which United Kingdom financial assistance is being made available shall be made from sources in the United Kingdom except to the extent that the Government of the United Kingdom waive this requirement on representations from the Government of Malta in relation to specific cases.

(2) The way in which the Development Corporation which the Government of Malta propose to set up will be established and the way in which it will function shall be agreed between

the two Governments. Any sums given or lent under this Agreement for industrial, agricultural or tourist development will, in the period in which such a Corporation is functioning, be made available by the Government of Malta for such development through that Corporation.

ARTICLE 5

The financial assistance provided under this Agreement shall consist of gifts and loans as follows:

(*a*) in respect of the period of five years ending on the 31st March, 1969, the division will be as to 75 per cent by way of gift, and as to 25 per cent by way of loans bearing interest related to the current lending rates of the United Kingdom Exchequer:

Provided that—

(i) in any year the proportion drawn by way of gift may exceed 75 per cent provided that the total drawn during the period of five years does not exceed that proportion, and

(ii) loans made to Bailey (Malta) Limited for the completion of Phase I of the civil dockyard conversion plan will be on the terms already agreed;

(*b*) in respect of the period of five years ending on the 31st March 1974, the division between gifts and loans will be the subject of future discussion.

ARTICLE 6

(1) Sums issued by the Government of the United Kingdom between the 1st April 1964, and the date of the present Agreement for any of the purposes mentioned in Article 3 of this Agreement, including in particular the sums advanced to Bailey (Malta) Limited for the civil dockyard conversion plan and the sums issued to the Malta War Damage Fund, shall be regarded as drawings on the sum of £6·8 million specified in Article 1 of this Agreement.

(2) Nothing in this Agreement shall be construed as implying any obligation on the part of the Government of Malta in respect of the repayment of any part of the advances made to Bailey (Malta) Limited by the Government of the United Kingdom.

ARTICLE 7

During the ten years beginning on the 1st April 1964, but subject at all times to the continued operation of the Agreement on Mutual Defence and Assistance, the Government of the United Kingdom will make available to the Government of Malta, in addition to the sums to be made available under Articles 1 and 2 of this Agreement and in the form and manner specified in the Annex to this Agreement, sums not exceeding a total of £1 million towards expenditure on the restoration of historic buildings and works in Malta now occupied by the Government of the United Kingdom for purposes referred to in the Agreement on Mutual Defence and Assistance.

In witness whereof the undersigned, being duly authorised thereto by their respective Governments, have signed this Agreement(3)

Done at Malta in duplicate this 21st day of September 1964.

For the Government of the United Kingdom of Great Britain and Northern Ireland.

DUNCAN SANDYS

For the Government of Malta

G. BORG OLIVIER

ANNEX

1. The sums referred to in Article 7 of this Agreement will be made available by way of gift.

2. The Government of Malta and the Government of the United Kingdom will jointly agree from time to time proposals for expenditure out of such sums on the restoration of specified buildings and works.

3. Such expenditure may, by agreement between the two Governments, be incurred either after such buildings and works are surrendered by the Government of the United Kingdom to the Government of Malta, or in advance of such surrender; and may take the form either of expenditure by the Government of the United Kingdom on restoration work carried out by Departments of that Government, or of expenditure by the Government of Malta.

4. Where by arrangement work is carried out on such buildings and works before surrender, it shall be carried out in such a way as not to interfere with their use for purposes referred to in the Agreement on Mutual Defence and Assistance.

(3) The Agreement entered into force on signature.

5. Where the works are carried out by or on behalf of the Government of Malta, the payments will be drawn in quarterly instalments in advance according to requirements.

6. Notwithstanding the provisions of the preceding paragraphs of this Annex, if the Government of Malta should at any time propose that any part of the total amount to be made available under Article 7 of this Agreement should be applied to projects for capital expenditure which the Government of Malta would regard as having greater importance for the diversification and development of the economy of Malta than the purposes defined in those paragraphs, the Government of the United Kingdom will be prepared to give sympathetic consideration to such proposals, and to make available part of those sums for expenditure on such projects, if jointly agreed and in the form in which they may be agreed.

JOINT STATEMENT on talks between Sir Alec Douglas Home and the Prime Minister of Southern Rhodesia, Mr. Ian Smith, regarding independence for Southern Rhodesia. —London, 11th September, 1964(1)

There was a full discussion of all aspects of the problem of independence for Southern Rhodesia. The Prime Minister of Southern Rhodesia expounded his case for the grant of independence on the basis of the present constitution and franchise. The British Prime Minister re-stated and explained the position of the British Government, as already stated in Parliament.

The British Prime Minister conveyed to the Prime Minister of Southern Rhodesia the views expressed at the Meeting of Commonwealth Prime Ministers in July as set out in their Final Communique(2). The Prime Minister of Southern Rhodesia for his part made it clear that he did not feel bound by any of the statements made at the Commonwealth Prime Ministers' Meeting to which he had not been invited.

The British Prime Minister told the Prime Minister of Southern Rhodesia that the British Government looked forward to the day when Southern Rhodesia would take her place as an independent Sovereign State within the Commonwealth. For their part they were anxious that this should come about as soon as practicable.

(1) Cmnd. 2464. *See also* Southern Rhodesia, etc. (Cmnd. 2807).
(2) Page 570.

The British Prime Minister said that the British Government must be satisfied that any basis on which it was proposed that independence should be granted was acceptable to the people of the country as a whole.

The Prime Minister of Southern Rhodesia accepted that independence must be based on general consent and stated that he was convinced that the majority of the population supported his request for independence on the basis of the present constitution and franchise. The British Prime Minister took note of this statement but said that the British Government had as yet no evidence that this was the case. The Prime Minister of Southern Rhodesia recognised that the British Government were entitled to be satisfied about this and said that he would consider how best it could be demonstrated so that independence could be granted.

The British Prime Minister said that the British Government would take account of any views which might be freely expressed by the population on the issues involved; but he must make it plain that the British Government reserved their position.

TREATY of Friendship between the United Kingdom and Tonga.—Nuku'alofa, 26th August, 1958[1]

By an Exchange of Notes dated 23rd June and 16th July, 1964[2], the words " any citizen of the Federation of Rhodesia and Nyasaland " appearing in paragraph (2) of Article I of the Treaty of Friendship of 26th August, 1958, were amended to read " any citizens of Southern Rhodesia ".

(1) Vol. 163, page 683.
(2) Treaty Series No. 55 (1964) (Cmnd. 2481).

TRIPARTITE DECLARATION by the United Kingdom, France and the United States of America on German Reunification.—26th June, 1964[1]

The Governments of France, the United Kingdom and the United States, after consulting with the Government of the Federal Republic of Germany, wish to state the following with regard to the agreement signed by the Soviet Union and the so-called "German Democratic Republic" on June 12, 1964[2]. This agreement, among other things, deals with questions related to Germany as a whole and to Berlin in particular.

1. As the Soviet Government was reminded before the signing of this agreement, it is clear that any agreement which the Soviet Union may make with the so-called "German Democratic Republic" cannot affect Soviet obligations or responsibilities under agreements and arrangements with the Three Powers on the subject of Germany including Berlin and access thereto. The Three Governments consider that the Soviet Union remains bound by these engagements, and they will continue to hold the Soviet Government responsible for the fulfilment of its obligations.

2. West Berlin is not an "independent political unit". Within the framework of their responsibilities regarding Germany as a whole, the Four Powers have put the German capital, the city of "Greater Berlin", under their joint administration. Unilateral iniatives taken by the Soviet Government in order to block the quadripartite administration of the city cannot in any way modify this legal situation nor abrogate the rights and responsibilities of the Four Powers in regard to Berlin. While reserving their rights relating to Berlin, the Three Western Powers, taking account of the necessities for the development of the city, have authorised, in accordance with the agreements of October 23, 1954, the establishment of close ties between Berlin and the Federal Republic of Germany, including permission to the Federal Republic to ensure representation of Berlin and of the Berlin population outside Berlin[3]. These ties, the existence of which is essential to

(1) Released simultaneously in London, Paris and Washington.
(2) Page 694.
(3) *See* Vol. 161, pages 469–470.

the viability of Berlin, are in no way inconsistent with the quadripartite status of the city and will be maintained in the future.

3. The Three Governments consider that the Government of the Federal Republic of Germany is the only German government freely and legitimately constituted and therefore entitled to speak for the German people in international affairs. The Three Governments do not recognise the East German régime nor the existence of a state in Eastern Germany. As for the provisions related to the "frontiers" of this so-called state, the Three Governments reiterate that within Germany and Berlin there are no frontiers but rather a "demarcation line" and the "sector borders" and that, according to the very agreements to which the agreement of June 12 refers, the final determination of the frontiers of Germany must await a peace settlement for the whole of Germany.

4. The charges of "revanchism" and "militarism" contained in the agreement of June 12 are without basis. The Government of the Federal Republic of Germany in its statement of October 3, 1954(4), has renounced the use of force to achieve the reunification of Germany or the modification of the present boundaries of the Federal Republic of Germany. This remains its policy.

5. The Three Governments agree that the safeguarding of peace and security is today more than ever a vital problem for all nations and that a just and peaceful settlement of outstanding problems in Europe is essential to the establishment of lasting peace and security. Such a settlement requires the application in the whole of Germany of the principle of self-determination. This principle is reaffirmed in the United Nations Charter(5), which the agreement of June 12 itself invokes. By ignoring this principle, the agreement of June 12 seeks to perpetuate the arbitrary division of Germany, which is a continuing source of international tension and an obstacle to a peaceful settlement of European problems. The exercise of self-determination, which should lead to the reunification of Germany in peace and freedom, remains a fundamental objective of the Three Governments.

(4) Vol. 161, page 405.
(5) Vol. 145, page 805.

6. The Three Governments are convinced that such a settlement should be sought as soon as possible. This settlement should include progressive solutions which would bring about German reunification and security in Europe. On such a basis, the Three Governments are always ready to take advantage of any opportunity which would peacefully re-establish German unity in freedom.

AGREEMENT between the United Kingdom and the Federal Republic of Germany concerning Compensation for United Kingdom Nationals who were Victims of National-Socialist Measures of Persecution, with Exchange of Notes.—Bonn, 9th June, 1964[1]

The United Kingdom of Great Britain and Northern Ireland and the Federal Republic of Germany have agreed as follows:

ARTICLE 1

(1) The Federal Republic of Germany shall pay to the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as the United Kingdom) the sum of one million pounds sterling for the benefit of United Kingdom nationals who were victims of National-Socialist measures of persecution and who, as a result of such measures, suffered loss of liberty or damage to their health, or, in the case of those who died in consequence of such measures, for the benefit of their dependents.

(2) The distribution of this sum shall be left to the discretion of Her Majesty's Government in the United Kingdom.

ARTICLE 2

The Federal Republic of Germany shall place the aforesaid sum at the disposal of the United Kingdom three months after the entry into force of the present Agreement.

ARTICLE 3

Without prejudice to any rights of United Kingdom nationals arising from legislation or special agreements in force, the

(1) Treaty Series No. 42 (1964) (Cmnd. 2445).

payment provided for in paragraph (1) of Article 1 shall constitute a final settlement, as between the United Kingdom and the Federal Republic of Germany, of all questions concerning compensation for the measures of persecution referred to in that Article.

ARTICLE 4

The present Agreement shall also apply to Land Berlin, provided that the Government of the Federal Republic of Germany has not delivered a contrary declaration of Her Majesty's Government in the United Kingdom within three months from the date of entry into force of the Agreement.

ARTICLE 5

The present Agreement shall enter into force on signature.

In witness whereof the undersigned, being duly authorised thereto, have signed the present Agreement.

Done at Bonn, the 9th day of June, 1964, in four originals, two each in the English and the German languages, all four texts being equally authoritative.

For the United Kingdom of Great Britain and Northern Ireland:

FRANK K. ROBERTS

For the Federal Republic of Germany:

CARSTENS

EXCHANGE OF NOTES

(No. 1)—*The State Secretary of the Federal Ministry of Foreign Affairs to Her Majesty's Ambassador at Bonn*

(Translation)

Bonn, June 9, 1964.

Mr. Ambassador,

I have the honour to refer to the Agreement of today's date between the Federal Republic of Germany and the United Kingdom of Great Britain and Northern Ireland concerning

Compensation for United Kingdom Nationals who were victims of National-Socialist Measures of Persecution and to state as follows:

According to the provisions of paragraph (1) of Article 1 of the said Agreement, the Federal Republic of Germany will pay to the United Kingdom of Great Britain and Northern Ireland the sum of one million pounds sterling for the benefit of United Kingdom nationals who were victims of National-Socialist measures of persecution and who, as a result of such measures, suffered loss of liberty or damage to their health, or, in the case of those who died in consequence of such measures, for the benefit of their dependents.

In making this payment, the Government of the Federal Republic of Germany have in mind United Kingdom nationals who were victims of National-Socialist measures of persecution by reason of their race, their faith or their ideology.

Accept, &c.

CARSTENS

(No. 2)—*Her Majesty's Ambassador at Bonn to the State Secretary of the Federal Ministry of Foreign Affairs*

Bonn, June 9, 1964.

Sir,

In your Note of today's date, you informed me as follows:

[As in No. 1]

I have the honour to acknowledge, on behalf of Her Majesty's Government in the United Kingdom, receipt of that Note.

I also have the honour to state, with reference to Article 3 of the Agreement, that the United Kingdom Government would not regard that Article as preventing the exclusion of any person who had received compensation for a particular item of loss or damage out of the sum paid in accordance with Article 1 from entitlement to compensation in respect of the same item of loss or damage under any future legislation or special agreement.

I have, &c.

FRANK K. ROBERTS

AGREEMENT between the United Kingdom and the Federal Republic of Germany for Offsetting the Foreign Exchange Expenditure on British Forces in the Federal Republic of Germany.—Bonn, 27th July, 1964[1]

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Federal Republic of Germany ;

Have agreed as follows :

ARTICLE 1

The maintenance of British forces in the Federal Republic of Germany results in foreign exchange expenditure in the Federal Republic of Germany which continues to impose a balance of payments burden on the United Kingdom. It is the intention of the Government of the Federal Republic of Germany, in so far as possible, to offset these foreign exchange costs and thereby relieve the balance of payments of the United Kingdom in the British financial years 1964/65 and 1965/66, that is from 1st April, 1964, to 31st March, 1966.

ARTICLE 2

The intention expressed in the preceding Article shall be fulfilled :

(*a*) by payments to the United Kingdom on account of existing and new orders for research, development, testing, procurement or services in the military field ;

(*b*) by additional civil procurement in the United Kingdom and other projects in accordance with the provisions of Annex I to this Agreement.

ARTICLE 3

Purchasing arrangements shall be governed by the provisions of Annex II to this Agreement.

ARTICLE 4

The Government of the United Kingdom within the possibilities open to them shall continue to endeavour to promote the achievement of orders and projects of the kind mentioned in Article 2 of this Agreement.

(1) *Germany* No. 2 (1964) (Cmnd. 2434).

ARTICLE 5

The Contracting Governments intend, in the preparation of their military procurement plans during the financial years 1964/65 and 1965/66, to take steps to utilise in the longer term all possibilities for improving the balance of payments of the United Kingdom through German military purchases in the United Kingdom.

ARTICLE 6

The Contracting Governments shall appoint a Joint Committee to deal with all questions which arise out of the carrying out of this Agreement. The Joint Committee shall make periodic reports to the Contracting Governments. If at any time during the currency of this Agreement it appears to either Contracting Government that the position as regards the implementation of this Agreement is developing in an unsatisfactory manner, there shall be joint consultation between the Contracting Governments with a view to remedial action.

ARTICLE 7

This Agreement shall enter into force on the date of signature and shall be deemed where applicable to cover the period between 1st April, 1964, and the date of signature.

In witness whereof the undersigned, duly authorised thereto by their respective Governments, have signed this Agreement.

Done in duplicate at Bonn this 27th day of July, 1964, in the English and German languages, both texts being equally authoritative.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

FRANK K. ROBERTS

For the Government of the Federal Republic of Germany:

LAHR

ANNEX I

CIVIL PROCUREMENT

1. Purchases by the following bodies shall count for the purposes of Article 2(*b*) of this Agreement:

(*a*) Government authorities (Federal, Land and Local)—including the Federal Railways and the Federal Post Office.

(*b*) Companies in which the above-mentioned authorities have either directly or indirectly a minimum holding of 50%.

(*c*) Public corporations.

Purchases by these bodies of oil and materials not of United Kingdom origin shall, however, be dealt with under the procedure set out in paragraph 2 of this Annex.

2. Other civil purchases and projects may be counted for the purposes of Article 2(*b*) of this Agreement provided it is agreed by the Joint Committee set up under Article 6 of this Agreement that these purchases result from action taken by the Government of the Federal Republic of Germany and that they bring benefit to the balance of payments of the United Kingdom.

ANNEX II

PURCHASING ARRANGEMENTS

1. It is understood that the rules of international competition shall not be disturbed by the principle enumerated in this Agreement including Annex I thereto. It therefore follows that orders under the Agreement will be placed in accordance with normal commercial prices and conditions.

2. Orders sub-contracted in the United Kingdom by suppliers of German public authorities shall count as orders within the meaning of Article 2 of this Agreement.

3. Orders placed in the United Kingdom from third countries or by supra-national or international organisations shall count as orders by the Government of the Federal Republic of Germany in so far as they shall be agreed by the Joint Committee to arise from action taken by or financed by the Government of the Federal Republic of Germany. This shall apply particularly to German development aid projects in third countries in so far as they shall be carried out through the Government of the United Kingdom, their subordinate authorities, departments or organisations or through private undertakings in the United Kingdom and to German defence aid projects in third countries.

TRADE AGREEMENT between the United Kingdom and the Soviet Union.—Moscow, 24th May, 1959[1]

Prolonged until 30th June, 1969, by Protocol dated London, 23rd April, 1964[2].

(1) Vol. 164, page 73.
(2) Treaty Series No. 13 (1965) (Cmnd. 2557).

AGREEMENT between the United Kingdom and Switzerland for Co-operation in the Peaceful Uses of Atomic Energy.—Berne, 11th August, 1964[1]

The Government of the United Kingdom of Great Britain and Northern Ireland on their own behalf and on behalf of the United Kingdom Atomic Energy Authority (hereinafter referred to as the Authority) and the Government of the Confederation of Switzerland (hereinafter referred to as the Swiss Government);

Desiring to co-operate in the promotion and development of the peaceful uses of atomic energy;

Have agreed as follows:

ARTICLE I

(1) Subject to the provisions of this Agreement, the Contracting Parties shall collaborate with each other for the promotion and development of the peaceful uses of atomic energy in their respective countries in the following ways:

(*a*) The Authority and the Swiss Government shall make available to each other unclassified information to the extent and in the manner specified in Article II.

(*b*) The Authority and the Swiss Government shall facilitate exchanges of unclassified information between persons in the United Kingdom on the one hand and persons in Switzerland on the other hand with a view to forwarding the peaceful uses of atomic energy.

(*c*) The Authority shall assist the Swiss Government or persons authorised by that Government in obtaining research and power reactors from the United Kingdom and in obtaining assistance in the design, construction and operation of such reactors.

(*d*) The Authority shall sell, or shall assist the Swiss Government or persons authorised by that Government in purchasing from the United Kingdom, fuel for the operation of research and power reactors in Switzerland as set out in Article III.

(*e*) The Authority shall process used fuel from research and power reactors operating in Switzerland, or shall assist the

(1) Treaty Series No. 86 (1965) (Cmnd. 2795).

Swiss Government or persons authorised by that Government in arranging for such processing in the United Kingdom, to such an extent and on such commercial terms as may be agreed.

(*f*) The Authority shall provide to the Swiss Government or to persons authorised by that Government, on commercial terms, assistance in the design, construction and operation of facilities for the manufacture of fuel in Switzerland and for the processing of used fuel in Switzerland or shall facilitate the procurement by the Swiss Government or by persons authorised by that Government of such assistance.

(*g*) The Contracting Parties shall, to such extent as is practicable, assist each other in the procurement, by either Government or by persons under this jurisdiction, of material, equipment and other requisites for the atomic energy research, development, and production programmes in their respective countries.

(*h*) Each Contracting Party shall, wherever possible, assist students and trainees recommended by the other in obtaining training in subjects relevant to the peaceful uses of atomic energy.

(*i*) The Contracting Parties may arrange for the provision of technical advice from the Authority to the Swiss Government or from the Swiss Government to the Authority, by the secondment of experts or in such other ways as may be agreed.

(2) The two Governments may agree on ways of collaborating for the promotion and the development of the peaceful uses of atomic energy additional to those enumerated in the preceding paragraph.

ARTICLE II

(1) Subject to the rights of third parties, to the obligations entered into by either Contracting Party under any international agreement, and to the applicable laws, regulations and licence requirements in force in Switzerland and in the United Kingdom, the Authority and the Swiss Government will make available to each other unclassified research information concerning the peaceful uses of atomic energy which is or may in the future be at their disposal and is relevant to the present or any projected atomic energy programme in Switzerland or the United Kingdom, respectively.

(2) The transmission of information within the scope of this Agreement which is regarded by the person transmitting that information as being of commercial value shall be made only at such time and on such commercial terms and conditions as may be agreed in each case.

(3) The person receiving information under this Article shall have the right (save as may be specified in particular contracts made thereunder):

(*a*) to use it freely for his own purposes, save that if the information relates to an invention patented by the Authority or the Swiss Government in the country in which the invention is to be used, its use, including communication to any third party, shall be subject to such terms as may be agreed;

(*b*) to communicate it to a third party, unless the person transmitting the information shall have stipulated to the contrary at the time of transmission.

In the event of communication to a third party, the person so communicating the information shall be at liberty, subject to any patent rights of the persons by whom it was originally provided, to make whatever arrangements he wishes with that third party in respect of the use of the information and of the ownership of any results, including patentable inventions, which may be obtained from the use of the information.

(4) For the purpose of this Article "person" shall mean the Authority or the Swiss Government, as the case may be.

ARTICLE III

(1) The Authority shall sell to the Swiss Government or to persons authorised by that Government, on commercial terms, or shall assist the Swiss Government or persons authorised by that Government in purchasing from the United Kingdom on Commercial terms:

(*a*) fuel of such quality and quantity as may be necessary for the efficient and continuous operation of research and power reactors obtained from the United Kingdom pursuant to this Agreement;

(*b*) to such an extent as may be agreed in particular contracts, fuel for the operation of other research and power reactors.

(2) Sales of fuel pursuant to paragraph (1) of this Article shall be subject to the following limitations and conditions:

(*a*) that such fuel shall be used only in reactors obtained from the United Kingdom pursuant to this Agreement or, with the consent of the Authority, in other reactors whose design has been accepted in accordance with Article V (*a*) (i) of this Agreement ;

(*b*) that the quantity of such fuel shall not at any given time be in excess of the quantity needed for the full loading of any reactor or reactors referred to in sub-paragraph (2) (*a*) of this Article, together with such additional quantity for replacement as may be necessary for the efficient and continuous operation of such reactor or reactors ;

(*c*) that when any such fuel has been discharged from any reactor after irradiation or has been discarded, or when any source material obtained from the United Kingdom and irradiated in any reactor employing any part of such fuel requires processing or storing, it shall be delivered to the Authority or to processing or storage facilities accepted in accordance with Article V (*a*) (i) of this Agreement ;

(*d*) that except as may be agreed between the Contracting Parties in any particular case, no alteration shall be made of the form and content of the fuel or source material to which sub-paragraph (2) (*c*) of this Article applies after its removal from a reactor and before its delivery to the Authority or to the facilities referred to in sub-paragraph (2) (*c*) of this Article ;

(*e*) that such operating records shall be maintained as may be necessary to ensure that an accurate account shall at all times be kept of the fuel and source material to which sub-paragraph (2) (*c*) of this Article applies ; and that such records shall be made available to the Authority when required by them.

ARTICLE IV

Since it is the intention of the Contracting Parties that the information exchanged and the material and equipment supplied shall be used solely for the promotion and development of the peaceful uses of atomic energy, the Contracting Parties will enter into consultations with the International Atomic

Energy Agency at a time to be agreed, with a view to negotiating an agreement under which the controls and safeguards provided by this Agreement would be administered by the Agency.

ARTICLE V

Until such time as the relevant controls and safeguards shall be administered by the International Atomic Energy Agency as a result of agreement reached in consultations held in accordance with Article IV of this Agreement:

(*a*) Subject to the provisions of paragraph (*d*), each Contracting Party shall have the following rights in order to ensure itself that any material or equipment supplied pursuant to this Agreement or any source material or special fissionable material derived from the use of such material or equipment is being used solely for peaceful purposes:

(i) to examine the design of equipment and facilities, including nuclear reactors, which are to be made available to the other Contracting Party or to persons under its jurisdiction pursuant to this Agreement, or in which any material supplied pursuant to this Agreement, or any special fissionable material derived from the use of such material or of equipment supplied pursuant to this Agreement is to be employed, processed or stored, only from the viewpoint of assuring that it will not further any military purpose, and that it will permit effective application of the provisions of this Agreement; provided that, subject to their reponsibilities to the Contracting Party appointing them, representatives appointed to make such examinations shall not disclose any industrial secret or other confidential information coming to their knowledge by reason of their official duties;

(ii) to appoint, after consultation with the other Contracting Party, representatives who shall have access at all times to all places and data, and to any person who by reason of his occupation deals with material or equipment supplied pursuant to this Agreement, for the purpose of accounting for source material or special fissionable material so supplied and source material or special fissionable material derived from the use of material or equipment so supplied and determining

whether there is compliance with the limitations and conditions specified in Articles 111 (2) and VI and VII of this Agreement, and shall be permitted to make their own measurement for these purposes. Such representatives shall be accompanied, if either Contracting Party so requests, by representatives appointed by the other Contracting Party, provided that they shall not thereby be delayed or otherwise impeded in the exercise of their functions. Subject to their responsibilities to their Governments pursuant to the provisions of this Article, representatives and other officials under the jurisdiction of either Contracting Party who by reason of their official duties arising from the provisions of this Article might acquire any industrial secret or other confidential information shall not make any disclosure of such information.

(*b*) Each Contracting Party undertakes to ensure that the other Contracting Party is enabled to exercise the rights provided for in paragraph (*a*) of this Article.

(*c*) Each Contracting Party undertakes that such operating records shall be maintained as may be necessary to ensure that an accurate account shall at all times be kept of source material and special fissionable material derived from the use of material or equipment supplied pursuant to this Agreement, and that such records shall be made available to the other Contracting Party when required by it.

(*d*) The provisions of paragraph (*a*) of this Article shall not apply in respect of material supplied pursuant to this Agreement when such material is returned solely for the purpose of processing, reprocessing or testing to the Contracting Party which supplied it, provided that:

(i) the Contracting Party to which such material is returned for such purposes make available for inspection by the other Contracting Party an amount of material at least equal to that returned (with due allowance for processing losses) and not otherwise subject to safeguards ; or

(ii) the quantity of material so returned is not at any time in excess of:

10 metric tons of natural uranium or depleted uranium with a U.235 content of 0·5% or more,

20 metric tons of depleted uranium with a U.235 content of less than 0·5%,

20 metric tons of thorium, or in the case of special fissionable material 1,000 grammes of plutonium, U.233 or fully enriched uranium or its equivalent or such quantities as the Board of Governors of the International Atomic Energy Agency may from time to time determine for the purpose of suspension from safeguards administered by the Agency.

ARTICLE VI

Special fissionable material derived from the use of any material or equipment supplied pursuant to this Agreement shall be at the disposal of the Contracting Party receiving such material or equipment and of persons under the jurisdiction of that Party and authorised by that Party, provided that:

(*a*) such special fissionable material shall be used only for peaceful purposes either for research or in reactors existing, under construction, or projected, to be specified by the Contracting Party making use of or authorising the use of such special fissionable material;

(*b*) its use shall be subject to the provisions of Article V of this Agreement;

(*c*) until such time as the relevant controls and safeguards shall be administered by the International Atomic Energy Agency as a result of agreement reached in consultations held in accordance with Article IV of this Agreement:

(i) any excess of such special fissionable material over what is needed for the purposes stated in paragraph (*a*) of this Article shall be deposited in stores accepted in accordance with Article V(*a*)(i) and agreed between the Contracting Parties until it is required for the purposes stated in paragraph (*a*) of this Article;

(ii) if a Contracting Party wishes to sell any such excess special fissionable material, the other Party shall have the option to purchase on terms to be agreed the whole or any part of such excess, for use for peaceful purposes only;

(iii) any part of such excess not so purchased may, by agreement between the Contracting Parties, be transferred for peaceful purposes to another country or to an international organisation.

ARTICLE VII

Each Contracting Party undertakes to ensure that:

(*a*) any material or equipment obtained pursuant to this Agreement or source material or special fissionable material derived from the use of any material or equipment so obtained will be employed solely for the promotion and development of the peaceful uses of atomic energy and not for any military purpose ;

(*b*) no material or equipment obtained pursuant to this Agreement or source material derived from the use of any material or equipment so obtained will be transferred to unauthorised persons or beyond its control except with the prior consent in writing of the other Contracting Party ;

(*c*) any fuel obtained pursuant to this Agreement will, when not actually being used for peaceful purposes, be held with adequate safety and security precautions in stores accepted in accordance with Article V(*a*)(i) and agreed between the Contracting Parties ;

(*d*) special fissionable material derived from the use of any material or equipment obtained pursuant to this Agreement will be dealt with in accordance with the provisions of Article VI of this Agreement.

ARTICLE VIII

(1) Contracts made pursuant to this Agreement may contain such guarantees as are agreed in specific cases. Subject to the provisions of such contracts, nothing in this Agreement shall be interpreted as imposing any responsibility on either Government or the Authority:

(*a*) with regard to the accuracy or completeness of any information communicated pursuant to this Agreement ;

(*b*) for the consequences of the use made of such information, material or equipment supplied pursuant to this Agreement ; or

(*c*) with regard to the suitability of such information, material or equipment for any particular use or application.

(2) The Contracting Parties recognise the desirability of implementing as soon as possible internationally agreed

measures for the provision of compensation and financial protection against damage caused by the peaceful uses of nuclear energy. Pending the implementation of such measures:

(*a*) the Swiss Government shall indemnify and hold harmless the Government of the United Kingdom and the Authority against any and all liability (including third party liability) from any cause whatsoever arising out of the production or fabrication, the ownership, the lease, or the possession or use of fuel supplied pursuant to Article III of this Agreement after it has been taken in charge by the Swiss Government or persons authorised by that Government.

(*b*) the Authority shall indemnify and hold harmless the Swiss Government against any and all liability (including third party liability) from any cause whatsoever arising out of the production or fabrication, the ownership, the lease or the possession or use of such fuel or of special fissionable material derived from such fuel after it has been taken in charge by the Authority in accordance with arrangements made under Article III (2) (*c*) or Article VI (*c*) (ii) of this Agreement.

ARTICLE IX

Representatives of the Contracting Parties shall meet from time to time to consult with each other on matters arising out of the application of this Agreement, including any questions concerning the interpretation of the definitions, in Article X of " equipment " and " material ".

ARTICLE X

For the purpose of this Agreement:

" Derived " means derived by one or more processes.

" Equipment " means major items of machinery, plant or instrumentation, or major components thereof, specially suitable for use in an atomic energy programme.

" Fuel " means any substance, or combination of substances, which is prepared for use in a reactor for the purpose of initiating and maintaining a self-supporting fission chain reaction.

" Material " means fuel, source material, special fissionable material, heavy water, graphite of nuclear quality, and any

other substance which by reason of its nature or purity is specially suitable for use in nuclear reactors.

" Person " means natural persons, any body of persons, corporate or unincorporated, public or private institution, Government agency or Government corporation, but excluding the two Governments and the Authority, except for the purposes of Article II and Article XII (3).

" Power reactor " means a nuclear reactor designed or adapted for the production of electrical or other power.

" Research reactor " means a nuclear reactor designed for use in scientific or technical experiments, including the testing of materials, and not adapted for the production of electrical or other power.

" Source material " and " special fissionable material " have the meanings assigned to them in the Statute of the International Atomic Energy Agency(2).

" Unclassified " means not classified as confidential, secret or top secret by either of the Contracting Parties.

" Used fuel " means fuel which has been irradiated in a reactor, or which has been discarded without being irradiated.

ARTICLE XI

(1) This Agreement shall be subject to ratification. Instruments of ratification shall be exchanged in London and the Agreement shall enter into force on the exchange of instruments of ratification(3).

(2) The Agreement shall remain in force for a period of ten years, provided that Articles III (2), IV, V, VI, VII and VIII shall remain in force thereafter for the duration of any contracts made pursuant to the Agreement. It may be renewed from time to time for such periods as may be agreed by the Contracting Parties.

ARTICLE XII

(1) Until such time as the relevant controls and safeguards shall be administered by the International Atomic Energy Agency as a result of agreement reached in accordance with

(2) Vol. 162, page 789.
(3) The Agreement entered into force on 5 August 1965.

Article IV of this Agreement, either Contracting Party shall have the right, in the event of any breach of the provisions of Article III (2) or Article VI or of any failure on the part of the other Contracting Party to carry out undertakings in Article V or Article VII, to call upon the other Contracting Party to take corrective steps. If such corrective steps are not taken within a reasonable time, this Agreement may be terminated by notification in writing to such other Contracting Party.

(2) If the Contracting Parties are unable to reach agreement on the holding of consultations for which provision is made in Article IX or if the Contracting Parties are unable to reach agreement as a result of such consultations or of the consultations for which provision is made in Article IV, either Contracting Party may by notification in writing to the other Contracting Party terminate the present Agreement three months after the date of the notification.

(3) On termination of this Agreement by notification under paragraphs (1) and (2) of this Article, either Contracting Party may require the termination of contracts made in pursuance of the present Agreement and the return of any fuel or other special fissionable material supplied pursuant to this Agreement, subject to payment to the person (including either Government or the Authority, as the case may be) returning such fuel or other special fissionable material of a sum representing the value at prices then current of any fuel or other special fissionable material so returned.

In witness whereof the undersigned, being duly authorised thereto by their respective Governments, have signed the present Agreement.

Done in duplicate at Berne, this 11th day of August, 1964, in the English and French languages, both texts being equally authoritative.

For the Government of the United Kingdon of Great Britain and Northern Ireland:

F. G. KENNA GALLAGHER

For the Government of the Confederation of Switzerland:

U. HOCHSTRASSER

JOINT COMMUNIQUE issued at the conclusion of talks between the Prime Minister, Sir Alec Douglas-Home, and President Johnson.—Washington, 13th February, 1964(1)

On February 12th and 13th, the President of the United States and the Prime Minister of the United Kingdom met to discuss matters affecting the interests of their two countries and the welfare and security of free people everywhere. The United States Secretary of State, the Hon. Dean Rusk, and the Foreign Secretary of the United Kingdom, the Right Hon. R. A. Butler, also took part in the talks.

President Johnson and Sir Alec Douglas-Home welcomed this opportunity of holding their first working meeting since they assumed the leadership of their respective Governments. Underlying their talks was the determination that the pursuit of peace should be unfalteringly maintained.

They consider this pursuit of peace with security, in co-operation with their allies, their primary task and responsibility. The conclusion of the partial Test Ban Treaty in 1963(2) marked an advance on the road to the peaceful resolution of the problems which divide East and West. The President and the Prime Minister think it essential to go forward from there and continue with their friends the search for other ways of reducing tension with its risks of war and its crushing burden of armaments. They hope that the Soviet Union will examine with the greatest seriousness the proposals put forward at the Geneva Conference and elsewhere by the United States and the United Kingdom, aimed at bringing about effective and controlled disarmament. In particular, the Prime Minister welcomed the proposals made to the 18-Nation Disarmament Conference by the United States in President Johnson's message on January 21st(3).

Both Governments will continue to give their full support to the United Nations and will work in close step to enable it by statesmanship and institutional improvement to fulfil its responsibility and satisfy the hopes of mankind.

But each Government recognises that no progress can be made without a strong and united Western Alliance prepared to

(1) H.C. Deb. Vol. 689, cols. 1029–31.
(2) Page 178.
(3) Page 583.

defend its interests against threat and intimidation. The defence commitments which both countries share with their allies in N.A.T.O. will be maintained. It is within the Atlantic framework that the United States and the United Kingdom are conducting their examination of mutual defence problems, including force goals and are also considering the proposal for a multilateral nuclear force. Similarily, the widest possible political and economic co-operation in Europe within a broad Atlantic partnership remains a common aim of United States and British policy.

The President and the Prime Minister reviewed the events of recent months during which sudden tensions in many parts of the world have made unforeseen calls on the resources of the United States and the United Kingdom. The two Governments are responding to these calls whilst at the same time taking all political action that is open to them to diminish the causes of tension. Each Government recognises the value of the contribution that the other is making to the common task.

The Prime Minister and the President gave special consideration to South-East Asian matters and to the problem of assisting free States of the area to maintain their independence. Both Governments stressed the value of the defence agreements which they have concluded there, and of the establishments which they maintain in the area. The Prime Minister re-emphasised the United Kingdom support for United States policy in South Vietnam. The President reaffirmed the support of the United States for the peaceful national independence of Malaysia. Both expressed their sincere hope that the leaders of the independent countries in the region would by mutual friendship and co-operation establish an area of prosperity and stability.

The President stressed his concern at the present situation in the Caribbean area and the subversive and disruptive influence of the present Cuban regime. The Prime Minister fully recognised the importance of the development of Latin America in conditions of freedom and political and economic stability. Both expressed their belief that a valuable contribution can be made by Europe to this end.

Both Governments reaffirm that in all these fields their aim remains solely to achieve and safeguard the integrity and stability of the countries of the free world on the basis of full independence. The President and the Prime Minister agreed

that the task is, however, not only that of establishing and preserving the peace, but of expanding international trade and promoting economic growth for all. To this end, both pledged their Governments to act affirmatively and decisively to promote the success of the forthcoming Kennedy Round of trade and tariff negotiations.

In view of the importance that both the President and the Prime Minister attach to such meetings, they have determined to continue to maintain close and continuous personal contact.

EXCHANGE OF NOTES between the United Kingdom and the United States of America constituting an Agreement on Technical Assistance for British Guiana.—Washington, 22nd–29th June, 1964(1)

Prolonged for a period of five years from 1st July, 1959, by an Exchange of Notes dated Washington, 22nd–30th June, 1959(2).

Further prolonged for a period of five years from 1st July, 1964, by an Exchange of Notes dated Washington, 22nd–29th June, 1964(3).

(1) Vol. 161, page 272.
(2) Treaty Series No. 83 (1960) (Cmnd. 1238).
(3) Treaty Series No. 48 (1964) (Cmnd. 2484).

AMENDMENT to the Agreement between the United Kingdom and the United States of America for Co-operation on the Civil Uses of Atomic Energy of 15th June, 1955.—Washington, 29th June, 1964(1)

The Government of the United Kingdom of Great Britain and Northern Ireland, on its own behalf and on behalf of the United Kingdom Atomic Energy Authority, and the Government of the United States of America (including the United States Atomic Energy Commission),

(1) Treaty Series No. 23 (1965) (Cmnd. 2588).

Desiring to amend further in certain respects the Agreement for Co-operation on the Civil Uses of Atomic Energy (hereinafter referred to as the Agreement for Co-operation) signed between them at Washington on June 15, 1955(2), as amended by the Notes signed October 20, 1955, and November 3, 1955(3), the Agreement signed at Washington on June 13, 1956(4), as modified by the Agreement signed at Washington on July 3, 1958(5), and as amended by the Agreement signed at Washington on June 5, 1963(6);

Have agreed as follows:

ARTICLE I

Article IV of the Agreement for Co-operation, as amended, is further amended by adding the following paragraph:

"(*d*) The Commission will sell to the Government of the United Kingdom in such quantities and under such terms and conditions as may be agreed up to a net quantity of 400 kilograms of U-235 in uranium enriched in the isotope U-235 to satisfy United Kingdom requirements for fuelling reactors in its civil research and development programmes. This net amount shall be the gross quantity of contained U-235 in enriched uranium sold to the United Kingdom under this paragraph during the period of this Agreement less the quantity of such contained U-235 in recoverable uranium which has been returned to the Government of the United States of America or transferred to any other nation or group of nations with the approval of the Government of the United States of America during the term of this Agreement. The enriched uranium so supplied may contain more than twenty per cent. (20%) U-235 upon request and at the discretion of the Commission if there is a technical or economic justification in a particular case for higher enrichment."

ARTICLE II

This Amendment, which shall be regarded as an integral part of the Agreement for Co-operation, shall enter into force on the date on which each Government shall have received

(2) Vol. 162, page 157.
(3) *See* Vol. 162, page 163, footnote (2).
(4) Vol. 162, page 708.
(5) Vol. 163, page 692.
(6) Page 91.

from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of this Amendment(7) and shall remain in force for the period of the Agreement for Co-operation, as hereby amended.

In witness whereof, the undersigned, duly authorized, have signed this Amendment.

Done at Washington this 29th day of June, 1964, in two original texts.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

HARLECH

For the Government of the United States of Amercia:

WILLIAM R. TYLER
GLENN SEABORG

(7) The Amendment entered into force on 4 December, 1964.

JOINT COMMUNIQUE on talks between Mr. Harold Wilson and President Johnson.—Washington, 8th December, 1964

The President of the United States and the Prime Minister of the United Kingdom met in Washington from 7th to 9th December. They were assisted by Secretary of State Rusk, Secretary of Defense McNamara and Under Secretary of State Ball and by the Foreign Secretary, Mr. Gordon Walker, and the Secretary of State for Defence, Mr. Healey.

In the course of a wide ranging exchange of views, the President and the Prime Minister reviewed the current international situation in the light of the responsibilities which their countries carry for maintaining, together with their allies and friends, peace and stability throughout the world. They reaffirmed their determination to support the peacekeeping operations of the United Nations and to do all in their power to strengthen the systems of regional alliance in Europe, the Middle East and the Far East to which they both contribute.

They recognised the importance of strengthening the unity of the Atlantic Alliance in its strategic nuclear defence. They discussed existing proposals for this purpose and an outline of some new proposals presented by the British Government(1). They agreed that the objective in this field is to co-operate in finding the arrangements which best meet the legitimate interests of all members of the Alliance, while maintaining existing safeguards on the use of nuclear weapons, and preventing their further proliferation. A number of elements of this problem were considered during this initial exchange of views as a preliminary to further discussions among interested members of the Alliance.

They also agreed on the urgency of a world-wide effort to promote the non-dissemination and non-acquisition of nuclear weapons, and of continuing Western initiatives towards arms control and disarmament. They recognised the increasing need for initiatives of this kind in the light of the recent detonation of a Chinese nuclear device(2).

The President and the Prime Minister reaffirmed their determination to continue to contribute to the maintenance of peace and stability in the Middle East and the Far East. In this connexion they recognised the particular importance of the military effort which both their countries are making in support of legitimate Governments in South East Asia, particularly in Malaysia and South Vietnam, which seek to maintain their independence and to resist subversion.

They recognised also that a nation's defence policy must be based on a sound economy. The President and the Prime Minister, while determined that their countries should continue to play their full parts in the worldwide peace-keeping effort, affirmed their conviction that the burden of defence should be shared more equitably among the countries of the free world.

They agreed also on the need for improvement in the balance of payments and in the productivity and competitive position of both their economies in order to ensure the underlying economic strength which is essential for fulfilling their heavy international responsibilities. In this connexion they

(1) *See* page 455.
(2) *See* page 672

arranged to explore in detail the possibilities of closer co-operation between their two countries in defence research and development and in weapons production.

The President and the Prime Minister reaffirmed their belief in the importance of close Allied co-operation in international affairs. They agreed that this meeting was only the first stage in their consultation in which the matters that they had discussed would need to be examined in greater detail. They looked forward, too, to continuing discussions at all levels both within the Alliance and in wider international negotiations in pursuit of nuclear and conventional disarmament and all measures to reduce world tension.

INTERNATIONAL AGREEMENT for the Suppression of Obscene Publications as amended by Protocol signed at New York 4th May, 1949(1).—Paris, 4th May, 1910(2)

ACCESSIONS

Cambodia	30th March, 1959
Congo (Leopoldville)(3) ...	31st May, 1962
Cyprus(3)	16th May, 1963
Ghana(3)	7th April, 1958
Jamaica	30th July, 1964
Jordan	11th May, 1959
Malagasy Republic	10th April, 1963
Malaya(3)	31st August, 1957
Nigeria(3)	26th June, 1961
Sierra Leone(3)	13th May, 1962
Tanganyika	28th November, 1962

(1) Vol. 154, page 499.
(2) Vol. 103, page 251.
(3) Extended to the territory before independence.

CONVENTION for the Unification of Certain Rules of Law respecting Collisions and Assistance and Salvage at Sea.—Brussels, 23rd September, 1910(1)

ACCESSION

Algeria	13th April, 1964

(1) Vol. 103, page 434.

INTERNATIONAL CONVENTION on Opium, as amended by Protocol dated New York, 11th December, 1964[1].—The Hague, 23rd January, 1912[2]

ACCESSIONS

Cameroon[3]	20th November, 1961
Central African Republic[3]	4th September, 1962
Ceylon[3]	4th December, 1957
Congo (Brazzaville)[3] ...	15th October, 1962
Congo (Leopoldville)[3] ...	31st May, 1962
Cyprus[3]	16th May, 1963
Ghana[3]	3rd April, 1958
Indonesia	29th May, 1958
Ivory Coast[3]	8th December, 1961
Jamaica[3]	26th December, 1963
Jordan	12th May, 1958
Malaya[3]	21st August, 1958
Niger[3]	25th August, 1961
Nigeria[3]	26th June, 1961
Philippines[3]	30th September, 1959
Rwanda[3]	5th May, 1964
Senegal[3]	2nd May, 1963
Sierra Leone[3]	13th March, 1962
Syria[3]	20th January, 1954

(1) Vol. 148, page 230.
(2) Vol. 105, page 490.
(3) Extended to the territory before independence.

INTERNATIONAL CONVENTION for assuring the Uniformity and Perfection of the Metric System.—Sèvres, 6th October, 1921[1]

ACCESSION

South Africa	31st July, 1964 (effective date)

(1) Vol. 116, page 564.

INTERNATIONAL CONVENTION for the Suppression of Obscene Publications as amended by Protocol signed at New York on 12th November, 1947(1).—Geneva, 12th September, 1923(2)

ACCESSIONS

Cyprus(3)	16th May, 1963.
Jamaica(3)	30th July, 1964.
Malagasy Republic	10th April, 1963.

(1) Vol. 148, page 824.
(2) Vol. 121, page 875.
(3) Extended to the territory before independence.

AGREEMENT for the creation of an International Office for Contagious Diseases of Animals.—Paris, 25th January, 1924(1)

ACCESSIONS

Ecuador	8th March, 1963.
Kenya	28th August, 1964.

(1) Vol. 121, page 884.

INTERNATIONAL CONVENTION for the Unification of certain Rules relating to Bills of Lading.—Brussels, 25th August, 1924(1)

ACCESSIONS

Algeria	13th April, 1964.
Peru	29th October, 1964.

(1) Vol. 126, page 440.

INTERNATIONAL CONVENTION relating to Dangerous Drugs, as amended by Protocol dated New York, 11th December, 1946[1].—Geneva, 19th February, 1925[2]

ACCESSIONS

Algeria	31st October, 1963.
Cameroon[3]	20th November, 1961.
Central African Republic[3]...	4th September, 1962.
Ceylon[3]	4th December, 1957.
Congo (Brazzaville)[3] ...	15th October, 1962.
Congo (Leopoldville)[3] ...	31st May, 1962.
Dahomey[3]	5th December, 1961.
Ghana[3]	7th April, 1958.
Ivory Coast[3]	8th December, 1961.
Jamaica[3]	26th December, 1963.
Malaya[3]	21st August, 1958.
Niger[3]	25th August, 1961.
Nigeria[3]	26th June, 1961.
Rwanda[3]	5th August, 1964.
Senegal[3]	2nd May, 1963.
Sierra Leone[3]	13th March, 1962.
Togo[3]	27th February, 1962.
Upper Volta	26th April, 1963.

(1) Vol. 148, page 230.
(2) Vol. 123, page 666.
(3) Extended to the territory before independence.

SLAVERY CONVENTION as amended by Protocol dated New York, 7th December, 1953[1].—Geneva, 25th September, 1926[2]

ACCESSIONS

Algeria	20th November, 1963.
Kuwait	28th May, 1963.
Malagasy Republic	12th February, 1964.
Nepal	7th January, 1963.
Tanganyika[3]	28th November, 1962.
Uganda	12th August, 1964.

(1) Vol. 160, page 521.
(2) Vol. 134, page 355.
(3) Extended to the territory before independence.

CONVENTION for the Unification of certain Rules relating to International Carriage by Air.—Warsaw, 12th October, 1929(1)

ACCESSIONS

Algeria	2nd June, 1964.
Cuba (with reservation) ...	21st July, 1964.
Cyprus(2)	23rd April, 1963.
Kenya	12th December, 1963.
Mauritania(2)	4th September, 1964.
Nigeria(2)	9th October, 1963.
Rwanda(2)	1st December, 1964.
Senegal	19th June, 1964.
Uganda	24th July, 1963.
Western Samoa(2)	16th October, 1963.

(1) Vol. 134, page 406.
(2) Extended to the territory before independence.

INTERNATIONAL CONVENTION on the Stamp Laws in connexion with Bills of Exchange and Promissory Notes.—Geneva, 7th June, 1930(1)

RATIFICATION

Luxembourg (with declaration)	5th March, 1963.

ACCESSION

Hungary	28th October, 1964.

(1) Vol. 134, page 439.

INTERNATIONAL CONVENTION respecting Load Lines.—London, 5th July, 1930(1)

ACCESSIONS

Algeria	11th July, 1964.
Cameroon(2)	23rd August, 1962.
Congo (Brazzaville)(2) ...	23rd August, 1962.
Cyprus	2nd November, 1964.
Dahomey(2)	23rd August, 1962.
Ivory Coast(2)	
Malagasy Republic(2) ...	
Mauritania(2)	
Niger(2)	
Nigeria	9th July, 1963.

(1) Vol. 132, page 558.
(2) Extended to the territory before independence.

INTERNATIONAL CONVENTION regarding the Manufacture and Distribution of Narcotic Drugs, as amended by Protocol dated New York, 11th December, 1946(1).—Geneva, 13th July, 1931(2)

ACCESSIONS

Algeria	31st October, 1963
Cameroon(3)	20th November, 1961
Central African Republic(3) ...	4th September, 1962
Congo (Brazzaville)(3) ...	15th October, 1962
Congo (Leopoldville)(3) ...	31st May, 1962
Dahomey(3)	5th December, 1961
Ghana(3)	7th April, 1958
Guinea(3)	26th April, 1962
Ivory Coast(3)	8th December, 1961
Jamaica(3)	26th December, 1963
Malaya(3)	21st August, 1958
Niger(3)	25th August, 1961
Nigeria(3)	26th June, 1961
Rwanda(3)	5th August, 1964
Senegal(3)	2nd May, 1963
Sierra Leone(3)	13th March, 1962
Tanganyika and Zanzibar ...	3rd July, 1964
Togo(3)	27th February, 1962
Upper Volta	26th April, 1963

(1) Vol. 148, page 230.
(2) Vol. 134, page 361.
(3) Extended to the territory before independence.

INTERNATIONAL CONVENTION on Civil Aviation.—Chicago, 7th December, 1944(1)

ACCESSIONS

Algeria	7th May, 1963
Jamaica	26th March, 1963
Kenya	1st May, 1964
Malawi	11th September, 1964
Somali Republic	2nd March, 1964
Trinidad and Tobago	14th March, 1963
Yemen	17th April, 1964
Zambia	30th October, 1964

(1) Vol. 148, page 38.

CHARTER of the United Nations.—San Francisco, 26th June, 1945[1]

ADMISSIONS TO MEMBERSHIP OF THE UNITED NATIONS

	Date of decision of the General Assembly
Kenya	16th December, 1963
Kuwait	14th May, 1963
Malawi	1st December, 1964
Malta	1st December, 1964
Zambia	1st December, 1964
Zanzibar[2]	16th December, 1963

(1) Vol. 145, page 805.
(2) Following the Union between the Republic of Tanganyika and the People's Republic of Zanzibar on 26th April, 1964, the United Republic of Tanganyika and Zanzibar became a single member of the United Nations. In October, 1964 the State was renamed the United Republic of Tanzania.

CONSTITUTION of the Food and Agriculture Organisation.—Quebec, 16th October, 1945[1]

ACCESSIONS

Jamaica	13th March, 1963
Kenya	27th January, 1964
Malta[2]	5th October, 1964

WITHDRAWAL

South Africa	18th December, 1964

(1) Vol. 145, page 910. A revised text of the Constitution is published on page 99.
(2) Formerly an Associate Member.

CONSTITUTION of the United Nations Educational, Scientific and Cultural Organisation.—London, 16th November, 1945[1]

ACCEPTANCES

	Date of deposit of Acceptance
Iceland	8th June, 1964
Kenya	7th April, 1964
Malawi	27th October, 1964
Zambia	9th November, 1964

(1) Vol. 166, page 652 (amended text).

ARTICLES OF AGREEMENT of (1) the International Monetary Fund and (2) the International Bank for Reconstruction and Development.—Washington, 27th December, 1945(1)

ACCEPTANCES

Algeria	26th September, 1963
Burundi	28th September, 1963
Cameroon	10th July, 1963
Central African Republic ...	10th July, 1963
Chad	10th July, 1963
Congo (Brazzaville)	10th July, 1963
Congo (Leopoldville) ...	28th September, 1963
Dahomey	10th July, 1963
Gabon	10th September, 1963
Guinea	28th September, 1963
Ivory Coast	11th March, 1963
Jamaica	21st February, 1963
Kenya	3rd February, 1964
Malagasy Republic	25th September, 1963
Mali	27th September, 1963
Mauritania	10th September, 1963
Niger	24th April, 1963
Rwanda	30th September, 1963
Trinidad and Tobago ...	16th September, 1963
Cuba(2)	27th September, 1963
Upper Volta	2nd May, 1963

WITHDRAWAL

Cuba(2)	2nd April, 1964

(1) Vol. 145, page 979.
(2) International Monetary Fund only.

GENERAL CONVENTION on the Privileges and Immunities of the United Nations.—London, 13th February, 1946(1)

ACCESSIONS

Algeria (with reservation) ...	31st October, 1963
Cambodia	6th November, 1963
Congo (Leopoldville)	8th December, 1964
Cyprus(2)	5th November, 1963
Gabon	13th March, 1964
Jamaica	9th September, 1963
Japan	18th April, 1963
Kuwait	13th December, 1963
Peru	24th July, 1963
Rwanda	15th April, 1964
Senegal(2)	27th May, 1963
Somali Republic	9th July, 1963
Yemen	23rd July, 1963

(1) Vol. 146, page 489.
(2) Extended to the territory before independence.

CONSTITUTION of the World Health Organisation.—New York, 22nd July, 1946(1)

ACCEPTANCES

Jamaica	21st March, 1963
Kenya	27th January, 1964
Trinidad and Tobago ...	3rd January, 1963
Uganda	7th March, 1963
Zanzibar	29th February, 1964

(1) Vol. 148, page 146.

CONSTITUTION of the International Labour Organisation, as amended.—Montreal, 9th October, 1946(1)

ACCEPTANCES

Burundi	11th March, 1963
Trinidad and Tobago ...	24th May, 1963
Zambia	2nd December, 1964

(1) Vol. 148, page 177, Vol. 160, page 413 and Vol. 166, page 717.

CONVENTION of the World Meteorological Organisation.—Washington, 11th October, 1947[1]

ACCESSIONS

Algeria	4th April, 1963
Cyprus	11th April, 1963
Jamaica	29th May, 1963
Kenya	2nd June, 1964
Mongolian People's Republic	4th April, 1963
Rwanda	4th February, 1963
Somali Republic	2nd March, 1964
Trinidad and Tobago ...	1st February, 1963
Uganda	15th March, 1963
Zambia	28th December, 1964

WITHDRAWAL

West Irian	1st May, 1964 (effective date)

(1) Vol. 148, page 741, and this Vol., page 156.

INTERNATIONAL CONVENTION for the Safety of Life at Sea.—London, 10th June, 1948[1]

ACCEPTANCES

Algeria	20th January, 1964
Cyprus	23rd October, 1963
Nigeria	3rd July, 1963
Tunisia	20th May, 1963

(1) Vol. 151, page 333.

INTERNATIONAL CONVENTION for the Protection of Literary and Artistic Works.—Brussels, 26th June, 1948[1]

ACCESSIONS

Cameroon[2]	21st September, 1964
Cyprus[2]	24th February, 1964
Upper Volta	19th July, 1963

(1) Vol. 152, page 1. Revises Berne Convention of 1886, as completed and revised in 1896, 1908, 1914 and 1928.
(2) Extended to the Territory before independence.

EXTENSIONS

	Effective date
Bermuda, North Borneo, Zanzibar	28th January, 1963
Bahama Islands, British Virgin Islands	19th August, 1963
Falkland Islands, St. Helena, Seychelles	18th October, 1963
Kenya	4th November, 1963

CONSTITUTION of the International Rice Commission, as amended.—Washington, November, 1948[1]

ACCEPTANCES

Brazil	21st August, 1964
Guatemala	23rd October, 1964
Mali	4th June, 1963
Sierra Leone	22nd September, 1964

(1) Vol. 160, page 394. Also published in Treaty Series No. 84 (1963) (Cmnd. 2222).

PROTOCOL for bringing certain Drugs under International Control.—Paris, 19th November, 1948[1]

ACCEPTANCES

Dahomey[2]	5th December, 1961
Jamaica[2]	26th December, 1963
Rwanda[2]	30th April, 1964
Senegal[2]	2nd May, 1963
Sierra Leone[2]	13th March, 1962
Tanganyika and Zanzibar ...	7th October, 1964
Upper Volta	26th April, 1963

(1) Vol. 151, page 593.
(2) Extended to the territory before independence.

"RED CROSS" CONVENTIONS for the Protection of War Victims.—Geneva, 12th August, 1949[1]

ACCESSIONS

Algeria	11th April, 1960 (effective date)
Cameroon[2]	1st January, 1960 (effective date)
Gabon[2]	17th August, 1960 (effective date)
Jamaica[2]	6th August, 1962 (effective date)
Malagasy Republic[2] ...	26th June, 1960 (effective date)
Nepal	7th August, 1964
Niger[2]	3rd August, 1960 (effective date)
Rwanda[2]	5th May, 1964
Saudi Arabia	18th May, 1963
Somali Republic	12th January, 1963
Tanganyika[2]	18th January, 1963
Trinidad and Tobago[3] ...	12th May/24th September, 1963
Uganda	18th November, 1964 (effective date)

(1) Vol. 157, pages 234, 262, 284 and 355.
(2) Extended to the territory before independence.
(3) Trinidad and Tobago acceded to the Convention for the Amelioration of the Wounded and Sick in Armed Forces in the Field on 17th May, 1963, and to the other three Conventions on 24th September, 1963.

INTERNATIONAL AGREEMENT on the Importation of Educational, Scientific and Cultural Materials.—New York, 22nd November, 1950[1]

SIGNATURES

Peru	8th July, 1964
Uruguay	27th April, 1964

(1) Vol. 156, page 933.

ACCEPTANCES

Cameroon	15th May, 1964
Congo (Leopoldville)(2) ...	3rd May, 1962
Cyprus(2)	16th May, 1963
Gabon	4th September, 1962
Italy	26th November, 1962
Ivory Coast	19th July, 1963
Nicaragua	17th December, 1963
Nigeria(2)	26th June, 1961
Rwanda(2)	1st December, 1964
Sierra Leone	13th March, 1962
Tanganyika	26th March, 1963

(2) Extended to the territory before independence.

INTERNATIONAL CONVENTION establishing a Customs Co-operation Council.—Brussels, 15th December, 1950(1)

ACCESSIONS

Burundi	20th October, 1964
Ivory Coast	2nd September, 1963
Jamaica	29th March, 1963
Japan	15th June, 1964
Jordan	1st January, 1964
Malagasy Republic	18th February, 1964
Malaysia	30th June, 1964
New Zealand	16th May, 1963
Nigeria	21st August, 1963
Rwanda	3rd March, 1964
South Africa	24th March, 1964
Tanzania	17th November, 1964
Uganda	3rd November, 1964

(1) Vol. 156, page 946.

INTERNATIONAL CONVENTION on the Valuation of Goods for Customs Purposes.—Brussels, 15th December, 1950(1)

RATIFICATION

Norway	27th March, 1963

(1) Vol. 156, page 958.

ACCESSION

Rwanda	...	...	...	1st June, 1964

CONVENTION relating to the Status of Refugees.—Geneva, 28th July, 1951(1)

ACCESSIONS

Algeria(2)	...	...	...	21st February, 1963
Burundi	...	...	...	16th July, 1963
Cyprus(2)	...	...	...	16th May, 1963
Gabon(3)	...	...	...	27th April, 1964
Ghana(3)	...	...	...	18th March, 1963
Jamaica(2)	...	...	...	30th July, 1964
Liberia(3)	...	...	...	15th October, 1964
Niger(2)	...	...	...	7th December, 1964
Peru ...	...	...	...	21st December, 1964
Senegal(2)	...	...	...	2nd May, 1963
Tanganyika and Zanzibar(3)			...	12th May, 1964

(1) Vol. 158, page 499.
(2) Extended to the territory before independence.
(3) With declaration.

STATUTE of The Hague Conference on Private International Law.—The Hague, 9th/31st October, 1951(1)

ACCEPTANCES

France ...	...	...	...	20th April, 1964
Israel ...	...	...	...	24th September, 1964
United States of America			...	15th October, 1964

(1) Vol. 158, page 563.

INTERNATIONAL CONVENTION on Certain Rules concerning Civil Jurisdiction in Matters of Collision.—Brussels, 10th May, 1952(1)

ACCESSIONS

Algeria	...	...	...	18th August, 1964
Nigeria	...	...	...	7th November, 1963

(1) Vol. 159, page 358.

EXTENSIONS

British Guiana, Fiji, Gibraltar, Hong Kong, Mauritius, North Borneo, Seychelles ...	29th March, 1963
British Virgin Islands	29th May, 1963
Bermuda	30th May, 1963

INTERNATIONAL CONVENTION relating to the Arrest of Seagoing Ships.—Brussels, 10th May, 1952(1)

ACCESSIONS

Algeria	7th August, 1964
Nigeria(2)	7th November, 1963

EXTENSIONS(2)

British Guiana, Fiji, Gibraltar, Hong Kong, Mauritius, North Borneo, Seychelles ...	29th March, 1963
British Virgin Islands ...	29th May, 1963
Bermuda	30th May, 1963

(1) Vol. 159, page 368.
(2) With reservation.

UNIVERSAL COPYRIGHT CONVENTION, and annexed Protocols 1, 2 and 3.—Geneva, 6th September, 1952(1)

RATIFICATIONS

Finland(2)	16th January, 1963
Guatemala	28th July, 1964
Peru	16th July, 1963

ACCESSIONS

Finland(3)	16th January, 1963
Greece	24th May, 1963
New Zealand(4)	11th June, 1964

(1) Vol. 159, page 394.
(2) Except Protocol 1.
(3) Protocol 1 only.
(4) Including Cook Islands (with Niue) and the Tokelau Islands.

EXTENSIONS(5)

Bahamas, British Virgin Islands	26th April, 1963
Bermuda, North Borneo and Zanzibar	4th February, 1963
Falkland Islands, Kenya, St. Helena and Seychelles ...	29th January, 1964 (effective date)

(5) Convention only.

PROTOCOL amending the Slavery Convention signed at Geneva on 25th September, 1926(1).—New York, 7th December, 1953(2)

ACCEPTANCE

France	14th February, 1963

SIGNATURE AND ACCEPTANCE

Niger	7th December, 1964

(1) Vol. 134, page 355.
(2) Vol. 160, page 521.

CONVENTION relating to the Status of Stateless Persons.—New York, 28th September, 1954(1)

ACCESSION

Algeria	15th July, 1964

(1) Vol. 161, page 372.

ARTICLES OF AGREEMENT of the International Finance Corporation.—Washington, 25th May, 1955(1)

ACCEPTANCES

Jamaica	31st March, 1964
Kenya	3rd February, 1964
Korea	16th March, 1964

(1) Vol. 162, page 248. *See also* Vol. 166, page 254.

SLAVERY CONVENTION supplementary to the Convention signed at Geneva on 25th September, 1926[1].—Geneva, 7th September, 1956[2]

RATIFICATIONS

France (including Overseas Territories)	26th May, 1964
Iraq	30th September, 1963
Poland	10th January, 1963
Turkey	17th July, 1964

ACCESSIONS

Algeria	31st October, 1963
Argentine Republic	7th October, 1963
Austria	7th October, 1963
Ghana	3rd May, 1963
Jamaica[3]	30th July, 1964
Kuwait	18th January, 1963
Nepal	7th January, 1963
Niger	22nd July, 1963
Philippines	17th November, 1964
Switzerland	28th July, 1964
Uganda	12th August, 1964

(1) Vol. 132, page 732.
(2) Vol. 162, page 759.
(3) Extended to the territory before independence.

STATUTE of the International Atomic Energy Agency.—New York, 26th October, 1956[1]

RATIFICATION

Libya	9th September, 1963

ACCEPTANCES

Algeria	24th December, 1963
Cameroon	13th July, 1964
Gabon	21st January, 1964
Ivory Coast	19th November, 1963
Kuwait	1st December, 1964
Nigeria	25th March, 1964

(1) Vol. 162, page 789.

EUROPEAN CONVENTION on the Equivalence of Periods of University Study.—Paris, 15th December, 1956(1)

RATIFICATIONS

Federal Republic of Germany	8th December, 1964
Iceland	5th April, 1963

(1) Vol. 162, page 837.

CONVENTION on the Organisation for Economic Co-operation and Development, with Supplementary Protocols.—Paris, 14th December, 1960(1)

ACCESSION

Japan	28th April, 1964

(1) Vol. 164, page 545.

COMMUNIQUE of the Ministerial Council Meeting of the European Free Trade Association.—Geneva, 14th February, 1964(1)

The Council of the European Free Trade Association met in Geneva on 13th/14th February, 1964 under the chairmanship of Dr. Hans Schaffner, Federal Counsellor, Head of the Department of Public Economy of Switzerland.

The Ministers reviewed all major developments relating to the objectives of EFTA. This involved discussion of trade problems, both intra-European and world-wide, and of matters arising within the Association. As no major internal questions required their attention, Ministers were able to concentrate on external matters.

The Austrian and Danish Ministers informed their colleagues of the discussions which they had had with the European Economic Community since the last EFTA Ministerial meeting in Stockholm in September 1963(2). The United Kingdom Minister informed his colleagues of the meetings of the Western European Union in The Hague and in London.

(1) EFTA *Bulletin*, March, 1964, page 6.
(2) *See* page 200.

Ministers agreed that the most important immediate question was the preparation for the forthcoming "Kennedy Round" in the GATT. They look forward to it as a major opportunity to open world markets and to stimulate the export earnings of the developing as well as the industrialised countries.

The Member countries of EFTA have from the start welcomed and supported the initiative for a linear 50 per cent. reduction of tariffs, with a bare minimum of exceptions, in the forthcoming trade negotiations of the GATT. Such a reduction would have great value for all EFTA countries, both in the general interest of promoting world trade and in particular for the contribution it would make to the maintenance of intra-European trade. The exports of the EFTA countries to the Members of the EEC are running at about $6,000 million, and those of the EEC to EFTA at about $8,000 million.

The EFTA countries reaffirmed their determination to do all in their power to attain the above objective of a linear tariff cut of 50 per cent. This, of course, is subject to adequate reciprocity for their exports. An important example is that the contribution to be made by those EFTA countries which are heavily dependent on exports of agricultural products must turn upon whatever arrangements, still at an early stage of discussion, can ultimately be agreed for trade in agricultural goods.

The EFTA countries for their part have asked for no special rules to deal with tariff disparities as between them and other industrialised countries. But they are aware that tariff disparities create a special problem for the EEC and they are playing their full part in seeking an acceptable solution to this problem. In their opinion the essential need in this connection is to limit the scope of special arrangements dealing with tariff disparities so as to preserve the widest possible application of the linear reduction of tariffs. To this end EFTA Ministers attach particular importance to excluding from such special arrangements the multiplicity of disparity cases where a third country, and not the country with the high duty, is the main exporter of the goods concerned to the country with the low duty. Otherwise the special arrangements would damage first and foremost innocent third countries.

The Ministers exchanged views on the forthcoming United Nations Conference on Trade and Development.(3) They stressed the importance of measures, particularly in the trade field, to benefit the less developed countries so as to speed their economic development. They recognised the great political as well as economic significance of a constructive approach to this problem. The Ministers expressed their determination to make every effort to promote the success of the Conference.

With reference to the Conference of Western European fishing countries which is now proceeding in London, the hope was expressed that it would be possible to arrive at a solution which, while meeting the legitimate interest of all the interested EFTA countries, would eventually lead to an expansion of trade.

Ministers agreed that the reduction of EFTA industrial tariffs to 40 per cent. of their 1960 level, an action which was taken by all Member countries on 31st December last, meant that increasing attention must now be given to other impediments to trade within the Association. In this connection, when reviewing the report of the Secretary-General on the recent activities of the Association, the Ministers took note of several new studies of such questions which were to be made in 1964. The Ministers had a preliminary discussion on the subject of industrial standardisation, the importance of which had been raised by the Consultative Committee. They agreed on the need for standards which would have the widest possible application, both in Europe and elsewhere. They recognised the valuable work already being done by national and international organisations in this field and agreed that this work could usefully be promoted by close consultation among EFTA Governments, particularly on questions of compulsory standards.

The next meeting of the Council at Ministerial level will be held in Edinburgh in July 1964.

(3) *See* page 720.

FISHERIES CONVENTION, with Annexes.—London, 9th March, 1964[1]

The Governments of Austria, Belgium, Denmark, the French Republic, the Federal Republic of Germany, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland,

Desiring to define a régime of fisheries of a permanent character;

Have agreed as follows:

ARTICLE 1

(1) Each Contracting Party recognises the right of any other Contracting Party to establish the fishery régime described in Articles 2 to 6 of the present Convention.

(2) Each Contracting Party retains however the right to maintain the fishery régime which it applies at the date on which the present Convention is opened for signature, if this régime is more favourable to the fishing of other countries than the régime described in Articles 2 to 6.

ARTICLE 2

The coastal State has the exclusive right to fish and exclusive jurisdiction in matters of fisheries within the belt of six miles measured from the baseline of its territorial sea.

ARTICLE 3

Within the belt between six and twelve miles measured from the baseline of the territorial sea, the right to fish shall be exercised only by the coastal State and by such other Contracting Parties, the fishing vessels of which have habitually fished in that belt between 1st January, 1953 and 31st December, 1962.

ARTICLE 4

Fishing vessels of the Contracting Parties, other than the coastal State, permitted to fish under Article 3, shall not direct their fishing effort towards stocks of fish or fishing grounds substantially different from those which they have habitually exploited. The coastal State may enforce this rule.

(1) Treaty Series No. 35 (1966) (Cmnd. 3011).

ARTICLE 5

(1) Within the belt mentioned in Article 3 the coastal State has the power to regulate the fisheries and to enforce such regulations, including regulations to give effect to internationally agreed measures of conservation, provided that there shall be no discrimination in form or in fact against fishing vessels of other Contracting Parties fishing in conformity with Articles 3 and 4.

(2) Before issuing regulations, the coastal State shall inform the other Contracting Parties concerned and consult those Contracting Parties, if they so wish.

ARTICLE 6

Any straight baseline or bay closing line which a Contracting Party may draw shall be in accordance with the rules of general international law and in particular with the provisions of the Convention on the Territorial Sea and the Contiguous Zone opened for signature at Geneva on 29th April, 1958.(2)

ARTICLE 7

Where the coasts of two Contracting Parties are opposite or adjacent to each other, neither of these Contracting Parties is entitled, failing agreement between them to the contrary, to establish a fisheries régime beyond the median line, every point of which is equidistant from the nearest points on the low water lines of the coasts of the Contracting Parties concerned.

ARTICLE 8

(1) Once a Contracting Party applies the régime described in Articles 2 to 6, any right to fish which it may thereafter grant to a State not a Contracting Party shall extend automatically to the other Contracting Parties, whether or not they could claim this right by virtue of habitual fishing, to the extent that the State not a Contracting Party avails itself effectively and habitually of that right.

(2) If a Contracting Party which has established the régime described in Articles 2 to 6 should grant to another Contracting Party any right to fish which the latter cannot claim under Articles 3 and 4, the same right shall extend automatically to all other Contracting Parties.

(2) Treaty Series No. 3 (1965) (Cmnd. 2511).

ARTICLE 9

(1) In order to allow fishermen of other Contracting Parties, who have habitually fished in the belt provided for in Article 2 to adapt themselves to their exclusion from that belt, a Contracting Party which establishes the régime provided for in Articles 2 to 6, shall grant to such fishermen the right to fish in that belt for a transitional period, to be determined by agreement between the Contracting Parties concerned.

(2) If a Contracting Party establishes the régime described in Articles 2 to 6, it may, notwithstanding the provisions of Article 2, continue to accord the right to fish in the whole or part of the belt provided for in Article 2 to other Contracting Parties of which the fishermen have habitually fished in the area by reason of voisinage arrangements.

ARTICLE 10

Nothing in the present Convention shall prevent the maintenance or establishment of a special régime in matters of fisheries:

(*a*) as between States Members and Associated States of the European Economic Community,

(*b*) as between States Members of the Benelux Economic Union,

(*c*) as between Denmark, Norway and Sweden,

(*d*) as between France and the United Kingdom of Great Britain and Northern Ireland in respect of Granville Bay and the Minquiers and the Ecrehos,

(*e*) as between Spain, Portugal and their respective neighbouring countries in Africa,

(*f*) in the Skagerrak and the Kattegat.

ARTICLE 11

Subject to the approval of the other Contracting Parties, a coastal State may exclude particular areas from the full application of Articles 3 and 4 in order to give preference to the local population if it is overwhelmingly dependent upon coastal fisheries.

ARTICLE 12

The present Convention applies to the waters adjacent to the coasts of the Contracting Parties listed in Annex I. This Annex may be amended with the consent of the Governments of the Contracting Parties. Any proposal for amendment shall be sent to the Government of the United Kingdom of Great Britain and Northern Ireland which shall notify it to all Contracting Parties, and inform them of the date on which it enters into force.

ARTICLE 13

Unless the parties agree to seek a solution by another method of peaceful settlement, any dispute which may arise between Contracting Parties concerning the interpretation or application of the present Convention shall at the request of any of the parties be submitted to arbitration in accordance with the provisions of Annex II to the present Convention.

ARTICLE 14

(1) The present Convention shall be open for signature from 9th March, 1964 to 10th April, 1964. It shall be subject to ratification or approval by the signatory Governments, in accordance with their respective constitutional procedures. The instruments of ratification or approval shall be deposited as soon as possible with the Government of the United Kingdom of Great Britain and Northern Ireland.

(2) The present Convention shall enter into force upon the deposit of instruments of ratification or approval by eight signatory Governments.[3] If, however, on 1st January, 1966, this condition is not fulfilled, those Governments which have deposited their instruments of ratification or approval may agree by special protocol on the date on which the Convention shall enter into force. In either case the Convention shall enter into force with respect to any Government that ratifies or approves thereafter on the date of deposit of its instrument of ratification or approval.

(3) Any State may at any time after the Convention has come into force accede thereto upon such conditions as may be agreed by it with the Contracting Parties. Accession on the

[3] The United Kingdom ratification was deposited on 11th September, 1964. The Convention entered into force on 15th March, 1966.

conditions agreed shall be effected by notice in writing addressed to the Government of the United Kingdom of Great Britain and Northern Ireland.

(4) The Government of the United Kingdom of Great Britain and Northern Ireland shall inform all signatory and acceding Governments of all instruments of ratification or approval deposited and accessions received and shall notify signatory and acceding Governments of the dates on which and the Governments in respect of which the present Convention enters into force.

ARTICLE 15

The present Convention shall be of unlimited duration. However at any time after the expiration of a period of twenty years from the initial entry into force of the present Convention, any Contracting Party may denounce the Convention by giving two years' notice in writing to the Government of the United Kingdom of Great Britain and Northern Ireland. The latter shall notify the denunciation to the Contracting Parties.

In witness whereof the undersigned, being duly authorised thereto, have signed the present Convention.

Done at London this 9th day of March, 1964, in the English and French languages, each text being equally authoritative, in a single original which shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, which shall transmit a certified true copy thereof to each signatory and acceding Government.

[Signed on behalf of Belgium, Denmark, France, Federal Republic of Germany, Irish Republic, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden and the United Kingdom.]

ANNEX I

The coasts of the Contracting Parties to which the Convention applies are the following:

Belgium

All coasts.

Denmark

The coasts of the North Sea, the Skagerrak and the Kattegat (*i.e.* the area lying to the north and west of lines drawn from Hasenore Head to Gniben Point, from Korshage to Spodsbierg, and from Gilbierg Head to the Kullen).

France

The North Sea and the English Channel coasts and the European Atlantic coasts.

Federal Republic of Germany

The North Sea coast.

Ireland

All coasts.

Netherlands

The North Sea coast.

Portugal

The Atlantic coast, north of the 36th Parallel, and the coast of Madeira.

Spain

The Atlantic coast, north of the 36th Parallel.

Sweden

The west coast, north of a line drawn from the Kullen to Gilbierg Head.

United Kingdom of Great Britain and Northern Ireland

All coasts, including those of the Isle of Man and The Channel Islands.

ANNEX II

Arbitration

ARTICLE 1

(1) Within three months of the signature of the Convention, or of accession thereto, each signatory or acceding Government shall nominate five persons prepared to undertake the duties of arbiters and being nationals of a Member State of the Organisation for Economic Co-operation and Development.

(2) The persons thus nominated shall be included in a list, which shall be notified by the Government of the United Kingdom of Great Britain and Northern Ireland to all signatory and acceding Governments.

(3) Any change in the list of arbiters shall be notified in the same manner.

(4) The same person may be nominated by more than one Government.

(5) The arbiters shall be nominated for a term of six years, which may be renewed.

(6) In the event of death or resignation of an arbiter he shall be replaced in the manner fixed for his nomination and for a new period of six years.

ARTICLE 2

(1) The party requesting arbitration in accordance with this Annex shall inform the other party of the claim which it intends to submit to arbitration, and give a summary statement of the grounds on which such claim is based.

(2) The Arbitral Tribunal shall consist of five members. The parties shall each nominate one member, who may be chosen from among their respective nationals. The other three arbiters, including the President, shall be chosen by agreement between the parties from among the nationals of third States whose names appear in the list mentioned in Article 1.

ARTICLE 3

If the nomination of the members of the Arbitral Tribunal is not made within a period of one month from the date on which arbitration was first requested, the task of making the necessary nominations shall be entrusted to the President of the International Court of Justice. Should the latter be a national of one of the parties to the dispute, this task shall be entrusted to the Vice-President of the Court or to the next senior judge of the Court who is not a national of the parties.

ARTICLE 4

The arbiters to be nominated by the President of the International Court of Justice shall be chosen from among the nationals of the States Members of the Organisation for Economic Co-operation and Development and preferably from the list provided for in Article 1. The President of the International Court of Justice shall consult beforehand the parties to the dispute, and may consult the Director General of the Food and Agriculture Organisation of the United Nations and the President of the International Council for the Exploration of the Sea. The arbiters shall be of different nationalities.

ARTICLE 5

The parties may draw up a special agreement determining the subject of the dispute and the details of procedure.

ARTICLE 6

In the absence of sufficient particulars in a special agreement or in the present Annex regarding the questions mentioned in Article 5 of the present Annex, the provisions of Articles 59-82 of the Hague Convention for the Pacific Settlement of International Disputes of 18th October, 1907(4) shall apply as far as possible.

ARTICLE 7

The parties shall facilitate the work of the Arbitral Tribunal, and in particular shall supply it to the greatest possible extent with all relevant documents and information. They shall use the means at their disposal to allow it to proceed in their territory, and in accordance with their law, to the summoning and hearing of witnesses or experts and to visit the localities in question.

(4) Vol. 100, page 298.

ARTICLE 8

In the absence of agreement to the contrary between the parties, the decisions of the Arbitral Tribunal, shall be taken by majority vote and, except in relation to questions of procedure, decisions shall be valid only if all members are present. The voting shall not be disclosed, nor any dissenting or separate opinions.

ARTICLE 9

(1) During the proceedings, each member of the Arbitral Tribunal shall receive emoluments, the amount of which shall be fixed by agreement between the parties, each of which shall contribute an equal share.

(2) The expenses of the Arbitral Tribunal shall be divided in the same manner.

ARTICLE 10

The validity of legal measures which entered into force before the date on which the Convention was opened for signature shall not be questioned in proceedings before the Arbitral Tribunal.

ARTICLE 11

(1) In the case of a dispute based on an allegation of injury to private interests which, according to the municipal law of one of the parties, falls within the competence of its judicial or administrative authorities, the party in question may object to the dispute being submitted for settlement by the procedure laid down in this Annex until a decision with final effect has been pronounced, within a reasonable time, by the competent authority.

(2) If a decision with final effect has been pronounced in the State concerned, it will no longer be possible to resort to the procedure laid down in this Annex after the expiration of a period of five years from the date of the aforementioned decision.

ARTICLE 12

If the execution of an award of the Arbitral Tribunal would conflict with a judgment or measure enjoined by a court of law or other authority of one of the parties to the dispute, and if the municipal law of that party does not permit, or only partially permits, the consequences of the judgment or measure in question to be annulled, the Arbitral Tribunal shall, if necessary, grant the injured party equitable satisfaction.

ARTICLE 13

(1) In all cases where a dispute forms the subject of arbitration, and particularly if the question on which the parties differ arises out of acts already committed or on the point of being committed, the Arbitral Tribunal shall lay down within the shortest possible time the provisional measures to be adopted. The parties to the dispute shall be bound to accept such measures.

(2) The parties shall abstain from all measures likely to react prejudicially upon the execution of the award of the Arbitral Tribunal and, in general, shall abstain from any sort of action whatsoever which may aggravate or extend the dispute.

ARTICLE 14

(1) As soon as the Arbitral Tribunal is constituted, the President shall inform the other Contracting Parties of the dispute submitted to it.

(2) Any Contracting Party may intervene, within a month from the date of receipt of this notification if it establishes a legitimate interest in the settlement of the dispute. Intervention shall be with the sole object of supporting or contesting the contentions, or part of the contentions, of the original parties to the dispute. An intervention shall not lead to modification of the original composition of the Arbitral Tribunal.

ARTICLE 15

Each of the Contracting Parties shall comply with the award of the Arbitral Tribunal in any dispute to which it is a party.

RATIFICATIONS

Country	*Date*
Belgium	10 February 1966
Denmark	9 October 1964
Ireland (Republic of) ...	20 September 1965
Italy	25 March 1966
Portugal	15 March 1966
Spain	15 September 1965
Sweden	16 February 1966
United Kingdom	11 September 1964

APPROVAL

France	5 July 1965

ACCESSION

Poland[5]	7 June 1966

(5) With reservations.

THE INDUS BASIN DEVELOPMENT FUND (SUPPLEMENTAL) AGREEMENT 1964.—Washington, 31st March–8th April 1964[1]

Agreement between the Governments of the Commonwealth of Australia (Australia), Canada (Canada), the Federal Republic of Germany (Germany), New Zealand (New Zealand), Pakistan (Pakistan), the United Kingdom of Great Britain and Northern Ireland (United Kingdom) and the United States of America (United States) and the International Bank for Reconstruction and Development (the Bank).

(1) Treaty Series No. 68 (1966) (Cmnd. 3139).

Whereas on the 19th day of September 1960, Australia, Canada, Germany, New Zealand, Pakistan, the United Kingdom, the United States and the Bank entered into The Indus Basin Development Fund Agreement, 1960(2) (being hereinafter called the 1960 Agreement and the parties thereto being hereinafter collectively called the Parties) providing for the creation and administration of, and contribution to, the Indus Basin Development Fund (hereinafter called the Fund);

And whereas in the 1960 Agreement the Parties agreed to make certain contributions to the Fund on the terms and conditions therein set forth;

And whereas the Parties have agreed to make additional contributions to the Fund on the terms and conditions and for the purposes hereinafter in this Agreement set forth;

Now therefore, the Parties hereby agree as follows:

ARTICLE I

Effect of this Agreement

SECTION 1.01. The arrangements set out in this Agreement are accepted by Pakistan and by the other Parties hereto as a full and complete discharge of all obligations, whether legal or moral, expressed or implied, of the said other Parties under the 1960 Agreement.

SECTION 1.02. To the extent that the following provisions of this Agreement are inconsistent with the provisions of the 1960 Agreement the provisions hereof shall prevail and the 1960 Agreement shall henceforth be read and construed as having been modified and superseded by the provisions of this Agreement, but shall in all other respects remain in full force and effect.

ARTICLE II

Increase in Non-Rupee Contributions

SECTION 2.01. Each of the following Parties undertakes, subject to such parliamentary or congressional action as may

(2) *See* Vol. 164, page 537.

be necessary, to make a supplemental contribution to the Fund of the nature and in the amount specified opposite its name below:

		Grant	*Contributions Repayable by Pakistan*
Australia	£A	4,669,643	
Canada	Can$	16,810,794	
Germany	DM	80,400,000	
New Zealand	£NZ	503,434	
United Kingdom	£	13,978,571	
United States	US$	118,590,000	US$ 51,220,000
Bank			US$ 58,540,000 (in various currencies)

SECTION 2.02. The supplemental contribution of New Zealand shall be payable in the amount of £NZ 41,953 in each half-year, commencing October 1, 1964.

SECTION 2.03. The United States supplemental loan contribution will be in the form of the proceeds of a U.S. dollar loan to Pakistan on terms to be agreed between Pakistan and the United States.

SECTION 2.04. The supplemental Bank contribution will be in the form of the proceeds of a loan in various non-rupee currencies to Pakistan from the Bank or of a credit in various non-rupee currencies to Pakistan from the International Development Association (the Association), or of both, as may be determined between the Bank and the Association. To the extent that the supplemental Bank contribution is in the form of the proceeds of a credit from the Association, such credit shall, for the purpose of this Agreement and the 1960 Agreement, be deemed to be a Bank loan.

SECTION 2.05. The supplemental contributions of Australia, Canada, Germany, the United Kingdom, the United States and the Bank shall be payable in the same proportions among them, and in the same proportions between grants and loans, and shall be governed by the same provisions of the 1960 Agreement, as their original contributions under the 1960 Agreement, except as may be otherwise provided in this Agreement.

ARTICLE III

Increase in Rupee Contributions

SECTION 3.01. The Bank, as Administrator of the Fund (the Administrator) shall make no further purchases of Pakistan rupees (rupees) pursuant to Section 3.03 (*b*) (ii) or Section 4.03 of the 1960 Agreement.

SECTION 3.02. Pakistan undertakes to pay to the Fund in accordance with the provisions of Section 3.01 of the 1960 Agreement (whether by use, in agreement with the United States, of United States counterpart funds, or from Pakistan's own resources) all such amounts of rupees, determined by the Administrator in accordance with Section 3.05 of the 1960 Agreement, as will be required to meet, by disbursements from the Fund, the rupee portion of the costs referred to in Section 4.01 (*a*) of this Agreement, to the extent that such costs are not covered by: (i) the rupees payable, or treated as payable, pursuant to Section 3.03 (*a*) of the 1960 Agreement and (ii) the rupees payable pursuant to Section 303 (*b*) (i) of the 1960 Agreement on account of the United States rupee contribution under Section 2.03 of the 1960 Agreement, until that contribution has been fully called up for payment.

ARTICLE IV

Disposition of the Fund

SECTION 4.01. (*a*) Subject to the provisions of Section 4.03 of this Agreement, the assets of the Fund, as augmented by the supplemental contributions herein provided for, shall be applied first to: (i) the cost of goods required to construct the Dam and Related Works on the Jhelum River as set forth in 2A (1) of Annexure D to the 1960 Agreement; (ii) the cost of goods required to construct the Link Canals, Barrages and Other Works as set forth in 2B, 2C and 2E of said Annexure as already modified by agreement between Pakistan and the Administrator with the approval of the Parties; (iii) overhead and engineering costs related to (i) and (ii) above; and (iv) expenses incurred by the Administrator solely because of services rendered under the 1960 Agreement and this Agreement provided, however, that the above schedule of

works may be amended by agreement between Pakistan and the Administrator for reasons of economy or sound engineering practice.

(*b*) In addition, the costs, including the rupee costs, of the Study hereinafter referred to in Section 5.01 of this Agreement shall be met from the non-rupee assets of the Fund.

SECTION 4.02. After the costs and expenses referred to in Section 4.01 (*a*) and (*b*) above have been provided for, any balance of the non-rupee assets remaining in or payable to the Fund, together with any uncalled amounts of the non-rupee contributions provided for in the 1960 Agreement, as augmented by this Agreement, will be disbursed, in accordance with procedures to be agreed between Pakistan and the Bank, to be used by Pakistan as required to meet non-rupee costs of the Tarbela project (if Pakistan and the Bank agree that Tarbela is justified on the basis of the report hereinafter referred to in Section 5.01 of this Agreement), or, otherwise, of some other development project or projects in the water and power sector in West Pakistan, to be agreed between Pakistan and the Bank on the basis of the Study referred to in said Section 5.01.

SECTION 4.03. Similarly, any amounts in or retainable for the Special Reserve under the provisions of Section 4.01 of the 1960 Agreement not required for payments by the Administrator to India pursuant to section 4.02 thereof shall be applied towards the costs referred to in Section 4.01 (*a*) above not covered by the non-rupees resources of the Fund as augmented by this Agreement, and to the extent not so applied shall be treated in the same manner as the balance referred to in Section 4.02 above. Income from investments of the Special Reserve shall hereafter be added to the principal thereof.

ARTICLE V

Study of the Water and Power Resources of West Pakistan

SECTION 5.01. The Administrator shall organise and administer a Study of the water and power resources of West Pakistan which would provide the Government of Pakistan with a basis for development planning in the water and power sectors of the economy within the context of their successive Five-year Plans. It is intended that this Study will be completed within

two years from the date of its commencement. The first objective of the Study will be the completion of a report covering the technical feasibility, the construction cost and the economic return of a dam on the Indus at Tarbela. The Administrator will use its best endeavours to ensure that this report will be completed by the end of 1964.

SECTION 5.02. The financing by the Fund of the Study shall not constitute or imply any commitment by the Parties to participate in any financing of any development project arising out of the Study, other than as provided in Section 4.02 of this Agreement.

ARTICLE VI

Signature and Entry into Force

SECTION 6.01. This Agreement shall be open for signature on behalf of the Parties until April 8, 1964, or such later date as may be fixed by the Administrator.

SECTION 6.02. This Agreement shall come into force and effect[3] and shall become binding upon each of the Parties on the date, but not before the date, when it has been signed on behalf of all the Parties. The Bank shall promptly after such date notify each of the other Parties and shall transmit to each of them certified copies, showing signatories and dates of signature.

ARTICLE VII

Title

SECTION 7.01. This Agreement may be cited as " The Indus Basin Development Fund (Supplemental) Agreement 1964 ".

Done at Washington in a single original, which shall remain deposited in the Archives of the Bank.

[Signed on behalf of Australia, Canada, Federal Republic of Germany, International Bank for Reconstruction and Development, New Zealand, Pakistan, United Kingdom and United States.]

[3] April 6, 1964.

FINAL COMMUNIQUE of the Ninth Meeting of the Council of the South-East Asia Treaty Organisation.—Manila, 15th April, 1964

1. The Council of the South-East Asia Treaty Organisation held its ninth meeting in Manila from April 13 to 15, 1964, under the chairmanship of the Honourable Salvador P. Lopez, Secretary of Foreign Affairs of the Republic of the Philippines. The inaugural address was delivered by the Honourable Diosado Macapagal, President of the Republic of the Philippines.

General Observations

2. The Council discussed the international situation with particular attention to the conditions existing in the treaty area at the close of S.E.A.T.O.'s first decade. It was agreed that S.E.A.T.O. has had, and continues to have, a most important stabilising influence in South-East Asia.

3. The Council noted that, while the member nations of the alliance have continued over the past year to enjoy peaceful progress and national security, the Communist threat remains. The Council studied the various manifestations of this threat in the treaty area and the means required to combat them. Despite the sharpening of the Sino-Soviet dispute, world domination remains the aim of communism and thus vigilance must not be relaxed. In addition to measures to deter overt aggression and active insurgency, there should continue to be emphasis on the development of economic and social conditions which strengthen national resistance to subversion.

4. Re-affirming that the determination of national policy rests with individual governments, the Council declared that material support and encouragement should be given to those nations which, in defending themselves, need and request such support.

Republic of Vietnam

5. The Council (see paragraph 10 regarding the position of France) surveyed with special attention the situation in Vietnam. It noted the efforts made there to check increasing subversive

and aggressive activities and expressed its continuing deep interest and sympathy for the Government and people of Vietnam in their struggle.

6. The Council expressed grave concern about the continuing Communist aggression against the Republic of Vietnam, a protocol state under the terms of the Manila Pact(1). Documentary and material evidence continues to show that this organised campaign is directed, supplied and supported by the Communist régime in North Vietnam, in flagrant violation of the Geneva accords of 1954 and 1962(2).

7. The Government and people of the Republic of Vietnam have given eloquent testimony to their determination to fight for their country. The Council affirmed its confidence that the programme of political and administrative reform, military action, pacification, and economic and social development recently instituted by the Government of the Republic of Vietnam, together with the support it is receiving from member nations of SEATO and from other nations in the free world, will greatly enhance the ability of the Vietnamese people to defeat the Communist campaign and will at the same time improve their prospects for a better life.

8. The Council agreed that the members of SEATO should remain prepared, if necessary, to take further concrete steps within their respective capabilities in fulfilment of their obligations under the treaty.

9. The Council agreed that the defeat of the Communist campaign is essential not only to the security of the Republic of Vietnam, but to that of South-East Asia. It will also be convincing proof that Communist expansion by such tactics will not be permitted.

10. The French Council member, while expressing the sympathy and friendship of France for the Vietnamese people, who for such a long time have been undergoing such severe trials and who aspire towards real independence, stated that under the present serious circumstances it was wise to abstain from any declaration.

(1) Vol. 161, page 365.
(2) *See* Vol. 161, page 359, and Vol. 166, page 720.

Laos

11. The Council expressed concern that the achievement of a neutral and independent government of national union in Laos is being jeopardised by repeated violations of the Geneva Agreement of 1962(3), particularly by North Vietnamese military assistance and intervention and by repeated Pathet Lao attacks. It is urged that the International Control Commission be accorded the necessary facilities to fulfil its duty, under the provisions of that agreement, of investigating violations in all parts of the kingdom. It is agreed to keep the situation under close scrutiny.

Counter-Subversion

12. The Council noted that regional members of the alliance continue to be prime targets for Communist subversion, but that effective counter-measures are being taken by the respective governments to prevent the exploitation of vulnerable areas. SEATO has assisted in the co-ordination of material and other aid provided at the request of member countries.

Interests of Member States

13. The Council noted the anxiety expressed by certain member countries for due consideration of their individual problems in the context of the region as a whole, keeping in view the provisions of the Manila Pact. In this connection, the Council noted the observation of the President of the Philippines that the interests of member states should not be placed at a disadvantage in relation to those of non-member states.

14. The Council heard full reports from its various members about problems of interest to members involving their relations with non-member states.

Economic, Medical and Cultural Co-operation

15. The Council reviewed the progress made by existing SEATO civil projects, and agreed that other proposals should be examined through which SEATO might make similar contributions to the welfare of the region.

(3) Vol. 166, page 720.

16. The SEATO General Medical Research Laboratory in Bangkok, the SEATO Clinical Research Centre in Bangkok, and the SEATO Cholera Research Laboratory in Dacca are investigating and publishing the causes, treatment and control of diseases.

17. The SEATO Regional Community Development Technical Assistance Centre in Ubol, Thailand, is developing techniques and disseminating information on economic self-help and local development.

18. The SEATO Graduate School of Engineering in Bangkok plays an important part in the development of trained personnel needed in the region. The Council directed that a study should be made of the financing of the school so as to ensure its future as a regional institution of higher learning.

19. The skilled labour projects in the Asian member countries are helping to provide skilled manpower for the developing industrial plants of the Asian member nations.

20. The Council also reviewed the programme for cultural co-operation and agreed that the established practice of awarding research fellowships, post-graduate and undergraduate scholarships and professorships is contributing to the advancement of knowledge and to international cultural relations.

Military Planning and Exercises

21. The Council recorded its conviction that adequate defences, individual and collective, are essential to the maintenance of security. The experience gained from regular and systematic military planning among the eight member nations and from the conduct of military exercises, of which 25 have been held to date, is one of the most important and valuable assets of the Alliance.

22. The Council commended the conduct of the military defence exercises held during the past year, including the civic action programmes which were of direct benefit to the local population.

23. The Council approved the report of the military advisers, and noted with satisfaction that the Military Planning Office had revised and refined defence plans in the light of changing or anticipated situations.

Staff Changes

24. The Council expressed its deep appreciation to His Excellency Mr. Pote Sarasin, who served as Secretary-General from the creation of that position in 1957 until his resignation in December 1963 upon his appointment as a member of the Cabinet of Thailand. The Council took especial recognition of his skill and untiring efforts in improving and strengthening the organisation and of the eminent contribution he made to the cause of collective security.

25. The Council conveyed its gratitude to Mr. William Worth, whose tenure of office as Deputy Secretary-General and Chairman of the Permanent Working Group ends shortly after the conclusion of the Council meeting. It commended him for his outstanding and dedicated service during the seven years he has held those positions.

26. The Council welcomed the incumbent Secretary-General His Excellency Mr. Konthi Suphamongkhon, who was appointed in February of this year. It also welcomed Mr. David A. Wraight, who has been appointed to succeed Mr. Worth.

Secretariat-General

27. The Council expressed its warm appreciation to the staff of the Organisation for their valuable services.

Next Meeting

28. The Council accepted with pleasure the invitation of Her Majesty's Government in the United Kingdom to hold its next meeting in London in 1965.

Expression of Gratitude

29. The Council expressed its gratitude to the Government of the Republic of the Philippines for its hospitality and the excellent arrangements made for the conference. The meeting voted warm thanks to the Chairman, the Honourable Mr. Salvador P. Lopez.

Leaders of National Delegations

30. The leaders of the national delegations to the Council meeting were:

The Honourable Sir Garfield Barwick, Minister for External Affairs of Australia

His Excellency M. Maurice Couve de Murville, Minister of Foreign Affairs of France

The Right Honourable Keith Holyoake, Prime Minister and Minister of External Affairs of New Zealand

His Excellency Dr. A. M. Malik, Ambassador of Pakistan to the Philippines

The Honourable Salvador P. Lopez, Secretary of Foreign Affairs of the Philippines

His Excellency Mr. Thanat Khoman, Minister of Foreign Affairs of Thailand

The Right Honourable Lord Carrington, Minister without Portfolio, United Kingdom

The Honourable Dean Rusk, Secretary of State of the United States

FINAL COMMUNIQUE of the Twelfth Session of the Central Treaty Organisation Ministerial Council.—Washington, 29th April, 1964

The Twelfth Session of the Ministerial Council of the Central Treaty Organisation (CENTO)[1] was held in Washington on April 28 and April 29, 1964. The delegations from the five countries participating in this meeting were led by:

H.E. Mr. Abbas Aram	Foreign Minister of Iran
H.E. Mr. Zulfikar Ali Bhutto ...	Foreign Minister of Pakistan
H.E. Mr. Feridun Cemal Erkin	Foreign Minister of Turkey
The Rt. Honourable R. A. Butler	Secretary of State for Foreign Affairs, United Kingdom
The Honourable Dean Rusk ...	Secretary of State, United States of America

The Secretary of State of the United States, as host, was in the chair. In his opening address, Secretary Rusk welcomed the delegations on behalf of President Lyndon B. Johnson.

(1) Vol. 162, page 183.

The Council of Ministers expressed deep regret at the tragic death of John F. Kennedy, the late President of the United States, and paid warm tribute to his outstanding qualities as a statesman and to his wise and valiant contributions to the cause of world peace.

The Council welcomed Mr. Butler to his first CENTO Ministerial Meeting since becoming Secretary of State for Foreign Affairs of the United Kingdom.

In the traditional frank atmosphere of CENTO, the Council reviewed international developments since it last met in Karachi(2). The Ministers particularly exchanged views on recent developments in the general area of the Middle East and discussed the implication of these events for the CENTO alliance.

The Council expressed its deep concern over the violence which has occurred in Cyprus since December 1963 and in particular over the recent deterioration which has created a dangerous situation with grave implications for peace and security in the whole area. The Council declared its earnest desire that the violence should be brought to an immediate end in accordance with the letter and spirit of the United Nations Security Council resolutions.

While welcoming the reduction in world tension which had occurred, the Foreign Ministers recognised that serious dangers to the peace and security of the Free World continue to exist. Specifically, they noted that the danger from subversive activities remains acute.

The Ministers reafirmed their objective of seeking peace and security through world disarmament under adequate safeguards, while maintaining a posture of constant vigilance. They noted with satisfaction that the Test Ban Treaty(3) constituted a valuable first step on the road to disarmament.

The Ministers observed the distinctive contribution of CENTO as a deterrent to aggression in the treaty area. They noted with satisfaction that, behind the defensive shield of the Organisation, the regional countries were making noteworthy social, economic and political progress.

(2) *See* page 165.
(3) Page 178.

The Council expressed pleasure at the continuing progress of CENTO in the economic sphere, noting the extensive activities of the Organisation in wide-ranging technical fields and the beneficial developments that are occurring on the CENTO communication projects. The microwave and high frequency telecommunication projects linking the region will be in operation by the end of 1964. In addition, work is forging ahead on the Turkey-Iran and Iran-Pakistan highway projects ; development work has been completed on the port of Trabzon and has begun on the port of Iskendrun ; and the current pace of activity on the CENTO Airway will bring this valuable project to completion in 1965. The Council noted with particular pleasure the United States decision to help finance through long-term loans the CENTO railway project which will link the existing railway systems in Iran and Turkey, and the intention of the United Kingdom to increase their financial contribution to the economic activities of the Organisation.

The Council agreed that the contributions of the CENTO technical co-operation programmes and of the CENTO cultural relations programme are of value to the process of economic and social development in the region and have led to closer relations and improved understanding among the peoples of the member countries.

The Council reviewed the report of the CENTO Military Committee and discussed suggestions for further co-operation in the military sphere designed to strengthen the defence potential of the alliance. They also reviewed reports on CENTO military exercises, particularly the recent CENTO-sponsored air, land and sea operation " Delawar " in Iran, and the earlier " Midlink " naval and " Shahbaz " air defence exercises.

The Foreign Ministers found their discussions of great value in achieving common understanding on world and regional problems and in planning the continuing work of the alliance.

The Council expressed warm appreciation of the work of Dr. Abbas Ali Khalatbary during his current term of office as Secretary-General. His appointment was extended for an additional three years.

It was decided that the next meeting of the Ministerial Council will be held in Tehran in the Spring of 1965.

COMMUNIQUE of the North Atlantic Council Ministerial Meeting.—The Hague, 14 May, 1964

The North Atlantic Council held its Spring Ministerial Meeting at The Hague from 12th to 14th May, 1964.

The Ministers reviewed the international situation. They discussed the annual political appraisal of the state of the Alliance presented by the Secretary-General. They emphasised the role of the Atlantic Alliance as the indispensable guardian of security and peace, and thus as the prerequisite for social and economic progress.

The Ministers reaffirmed their determination to achieve a genuine relaxation of tension in international relations. Although in recent months no serious crises have arisen in Europe, the Union of Soviet Socialist Republics has nevertheless continued to try to exert different forms of pressure. The Communist countries continue their various efforts to extend their system to the whole world. The fundamental causes of tension in the world therefore persist.

In particular, no solution has yet been found for the problems of Germany and Berlin. The Council reaffirmed that a just and peaceful solution to the problem of Germany can be reached only on the basis of the right of self-determination, and agreed that every suitable opportunity should be taken to bring nearer to realisation the wish of the German people for reunification in freedom, and thereby ensure an enduring peace in Central Europe. The problem will continue to be examined. The Council also reaffirmed that the Government of the Federal Republic of Germany is the only German Government freely and legitimately constituted and therefore entitled to speak for Germany as the Representative of the German people in international affairs. With regard to Berlin, the Alliance stands by the terms of its Declaration of 16th December, 1958(1).

The Ministers noted with satisfaction that limited steps had recently been taken towards arresting the arms race. They reiterated their desire to bring about a settlement of the basic problems of disarmament, but noted that such a prospect would remain remote as long as the Soviet Union refused to accept effective measures of control and inspection.

(1) Vol. 163, page 781, Document 7.

In present circumstances, the members of the Alliance are in duty bound to improve their overall defensive capability. They will strengthen their unity by extending and deepening their political consultation. They will intensify their economic effort in order to raise living standards, whether of their own peoples or in developing countries.

The Ministers, referring to the previous resolution concerning the study of the military and economic problems of the defence of the South-Eastern region of NATO(2), expressed the wish that the conclusions of this study be submitted at the next Ministerial Meeting.

The Ministers expressed their concern at the situation in this region arising from the continuing disorders in Cyprus. They reaffirmed the full support of their governments for the action decided on by the United Nations Organisation with a view to restoring law and order, and for the efforts of the mediator appointed by the United Nations to seek an agreed solution of the problem.

The Ministers expressed their deep regret at the impending departure of Mr. Dirk U. Stikker, who had announced his intention of retiring from the Secretary-Generalship of the Organisation. In their tributes to Mr. Stikker, who was one of those who signed the North Atlantic Treaty(3) in 1949, the Ministers expressed their profound appreciation of his outstanding services to the Alliance.

The Council invited Signor Manlio Brosio, former Deputy Prime Minister and Defence Minister in the Italian Government and at present Italian Ambassador in Paris, to become Secretary-General of the Organisation in succession to Mr. Stikker as from 1st August, 1964. Signor Brosio has informed the Council of his acceptance of this invitation.

The next Ministerial Meeting will be held in Paris in December, 1964.

(2) *See* page 216.
(3) Vol. 154, page 479.

PROTOCOL to the European Convention on the Equivalence of Diplomas leading to Admission to Universities.—Strasbourg, 3rd June, 1964[1]

The member States of the Council of Europe signatory hereto,

Considering the aims of the European Convention on the Equivalence of Diplomas leading to Admission to Universities, signed at Paris on 11th December, 1953,[2] hereinafter referred to as the Convention ;

Considering that the benefits of the Convention could usefully be extended to holders of diplomas constituting a requisite qualification for admission to universities when such diplomas are awarded by institutions which another Contracting Party officially sponsors outside its own territory and whose diplomas it assimilates to those awarded within its territory,

Have agreed as follows :

ARTICLE 1

1. Each Contracting Party shall recognise for the purpose of admission to the universities situated in its territory, when such admission is subject to State Control, the equivalence of diplomas awarded by institutions which a Contracting Party officially sponsors outside its own territory and whose diplomas it assimilates to those awarded within its territory.

2. Admission to any university shall be subject to the availability of places.

3. Each Contracting Party reserves the right not to apply the provisions of paragraph 1 above to its own nationals.

4. Where admission to universities situated in the territory of of a Contracting Party is outside the control of the State, that Contracting Party shall transmit the text of this Protocol to the universities concerned and use its best endeavours to obtain the acceptance by the latter of the principles stated in the preceding paragraphs of this Article.

ARTICLE 2

Each Contracting Party shall provide the Secretary-General of the Council of Europe with a list of institutions officially

(1) Treaty Series No. 8 (1965) (Cmnd. 2536).
(2) Vol. 160, page 525.

sponsored by it outside its territory which award diplomas constituting a requisite qualification for admission to universities situated in its territory.

ARTICLE 3

For the purpose of this Protocol:

(*a*) the term " diploma " shall mean any diploma, certificate or other qualification, in whatever form it may be awarded or recorded, which constitutes a requisite qualification for admission to a university ;

(*b*) the term " universities " shall mean:

(i) universities ;

(ii) institutions regarded as being similar in character to universities by the Contracting Party in whose territory they are situated ;

(*c*) the term " territory of a Contracting Party " shall mean the metropolitan territory of that Party.

ARTICLE 4

1. Member States of the Council of Europe who are Contracting Parties to the Convention may become Contracting Parties to this Protocol either by:

(*a*) signature without reservation in respect of ratification or acceptance ;

(*b*) signature with reservation in respect of ratification or acceptance, followed by ratification or acceptance.

2. Any State which has acceded to the Convention may accede to this Protocol.

3. Instruments of ratification, acceptance or accession shall be deposited with the Secretary-General of the Council of Europe.

ARTICLE 5

1. This Protocol shall enter into force one month after the date on which two member States of the Council of Europe shall have signed it without reservation in respect of ratification or acceptance, or shall have ratified or accepted it in accordance with the provisions of Article 4.(3)

(3) The Protocol entered into force on July 4, 1964.

2. In the case of any member State of the Council of Europe who shall subsequently sign the Protocol without reservation in respect of ratification or acceptance,(4) or who shall ratify or accept it, the Protocol shall enter into force one month after the date of such signature or after the date of deposit of the instrument of ratification or acceptance.

3. In the case of any acceding State, the Protocol shall enter into force one month after the date of deposit of the instrument of accession. Such accession shall not, however, become effective until the Protocol shall have entered into force.

ARTICLE 6

1. This Protocol shall remain in force indefinitely.

2. Any Contracting Party may, in so far as it is concerned, denounce this Protocol by means of a notification addressed to the Secretary-General of the Council of Europe.

3. Such denunciation shall take effect six months after the date of receipt by the Secretary-General of such notification.

ARTICLE 7

The Secretary-General of the Council of Europe shall notify the member States of the Council and any State which has acceded to this Protocol of :

(*a*) any signature without reservation in respect of ratification or acceptance ;

(*b*) any signature with reservation in respect of ratification or acceptance ;

(*c*) the deposit of any instrument of ratification, acceptance or accession ;

(*d*) any date of entry into force of this Protocol, in accordance with Article 5 thereof ;

(*e*) any notification received in pursuance of the provisions of Articles 2 and 6.

In witness whereof the undersigned, being duly authorised thereto, have signed this Protocol.

Done at Strasbourg this 3rd day of June 1964 in English and French, both texts being equally authoritative, in a single

(4) The Protocol was signed on behalf of the United Kingdom without reservation in respect of ratification on August 25, 1964.

copy which shall remain deposited in the archives of the Council of Europe. The Secretary-General of the Council of Europe shall transmit certified copies to each of the signatory and acceding States.

[Signed on behalf of Belgium(5), Denmark, France, Federal Republic of Germany(5), Italy(5), Luxembourg(5), Netherlands(5)(6), and Norway.]

ADDITIONAL SIGNATURES

Sweden	21st June, 1967
Turkey	27th November, 1964
United Kingdom(7)	25th August, 1964

RATIFICATIONS

Italy	20th September, 1966
Luxembourg	30th November, 1965
Netherlands	21st January, 1965

(5) Subject to ratification or acceptance.

(6) With the following declaration:

In the case of the Kingdom of the Netherlands, the term 'metropolitan territory' in Article 3(c) of the Protocol shall not retain its original sense but shall be taken to mean 'European territory', in view of the equality in public law between the Netherlands, Surinam and the Netherlands Antilles.

(7) With the following declaration:

It is stipulated in Article 2 of the Protocol to the European Convention on the Equivalence of Diplomas leading to Admission to Universities that each Contracting Party shall provide a list of institutions officially sponsored by it outside its territory which award diplomas constituting a requisite qualification for admission to Universities situated in its territory. There are at present no such institutions which fulfil these criteria for the United Kingdom.

AGREEMENT between the Parties to the North Atlantic Treaty for Co-operation regarding Atomic Information.—Paris, 18th June, 1964(1)

PREAMBLE

The Parties to the North Atlantic Treaty, signed at Washington on 4th April, 1949(2),

(1) Treaty Series No. 51 (1965) (Cmnd. 2679).

(2) Vol. 154, page 479.

Recognising that their mutual security and defence requires that they be prepared to meet the contingencies of atomic warfare, and

Recognising that their common interest will be advanced by making available to the North Atlantic Treaty Organisation and its member states information pertinent thereto, and

Taking into consideration the United States Atomic Energy Act of 1954(3), as amended, which was prepared with these purposes in mind,

Acting on their own behalf and on behalf of the North Atlantic Treaty Organisation,

Agree as follows:

ARTICLE I

In accordance with and subject to the requirements of the United States Atomic Energy Act of 1954, as amended, the Government of the United States of America will, while the North Atlantic Treaty Organisation continues to make substantial and material contributions to the mutual defence and security, co-operate by communicating, from time to time, to the North Atlantic Treaty Organisation and its member states, while they continue to make such contributions, atomic information in accordance with the provisions of this Agreement, provided that the Government of the United States of America determines that such co-operation will promote and will not constitute an unreasonable risk to its defence and security.

ARTICLE II

Paralleling the undertaking of the Government of the United States of America under this Agreement, the other member states of the North Atlantic Treaty Organisation will, to the extent they deem necessary, communicate to the North Atlantic Treaty Organisation, including its military and civilian elements, and to member states atomic information of their own origin of the same types provided for in this Agreement. The terms and conditions governing these communications by other member states will be the subject of subsequent agreements, but will be the same or similar to the terms and conditions specified in this Agreement.

(3) 68 Stat. 919; 42 U.S.C. §§ 2011 *et seq.*

ARTICLE III

The Government of the United States of America will communicate to the North Atlantic Treaty Organisation, including its military and civilian elements, and to member states of the North Atlantic Treaty Organisation requiring the atomic information in connection with their functions related to NATO missions, such atomic information as is determined by the Government of the United States of America to be necessary to:

(*a*) the development of defence plans;

(*b*) the training of personnel in the employment of and defence against atomic weapons and other military applications of atomic energy;

(*c*) the evaluation of the capabilities of potential enemies in the employment of atomic weapons and other military applications of atomic energy; and

(*d*) the development of delivery systems compatible with the atomic weapons which they carry.

ARTICLE IV

1. Co-operation under this Agreement will be carried out by the Government of the United States of America in accordance with its applicable laws.

2. Under this Agreement there will be no transfer by the Government of the United States of America of atomic weapons, non-nuclear parts of atomic weapons, or non-nuclear parts of atomic weapons systems involving Restricted Data.

3. The atomic information communicated by the Government of the United States of America pursuant to this Agreement shall be used exclusively for the preparation or implementation of NATO defence plans and activities and the development of delivery systems in the common interests of the North Atlantic Treaty Organisation.

ARTICLE V

1. Atomic information communicated pursuant to this Agreement shall be accorded full security protection under applicable NATO regulations and procedures, agreed security arrangements, and national legislation and regulations. In no case

will the North Atlantic Treaty Organisation or its member states maintain security standards for the safeguarding of atomic information less restrictive than those set forth in the pertinent NATO security regulations and other agreed security arrangements in effect on the date this Agreement comes into force.

2. The establishment and co-ordination of the security programme in all NATO military and civilian elements will be effected under the authority of the North Atlantic Council in conformity with procedures set forth in agreed security arrangements.

3. Atomic information communicated by the Government of the United States of America pursuant to this Agreement will be made available through channels for communicating atomic information now existing or as may be hereafter agreed.

4. Atomic information communicated or exchanged pursuant to this Agreement shall not be communicated or exchanged by the North Atlantic Treaty Organisation or persons under its jurisdiction to any unauthorised persons or, except as provided in paragraph 5 of this article, beyond the jurisdiction of that Organisation.

5. Unless otherwise specified by the Government of the United States of America, United States atomic information provided to the North Atlantic Treaty Organisation may be communicated by the North Atlantic Treaty Organisation to its member states as necessary to carry out functions related to NATO missions, provided that dissemination of such atomic information within such member states is limited to those specific individuals concerned with the NATO missions for which the information is required. Member states agree that atomic information so received from the North Atlantic Treaty Organisation or otherwise pursuant to this Agreement will not be transferred to unauthorised persons or beyond the jurisdiction of the recipient member state ; however, such information may be communicated to the North Atlantic Treaty Organisation or, when authorised by the Government of the United States of America, to other member states requiring the information for functions related to NATO missions.

ARTICLE VI

Other provisions of this Agreement notwithstanding, the Government of the United States of America may stipulate the degree to which any of the atomic information made available by it to the North Atlantic Treaty Organisation or member states may be disseminated, may specify the categories of persons who may have access to such information, and may impose such other restrictions on the dissemination of information as it deems necessary.

ARTICLE VII

1. A Party receiving atomic information under this Agreement shall use it for the purposes specified herein only. Any inventions or discoveries resulting from possession of such information on the part of a recipient Party or perons under its jurisdiction shall be made available to the Government of the United States of America for defence purposes without charge in accordance with such arrangements as may be agreed and shall be safeguarded in accordance with the provisions of Article V of this Agreement.

2. The application or use of any information communicated under this Agreement shall be the responsibility of the Party receiving it; the Party communicating the information does not provide any indemnity or warranty with respect to its application or use.

ARTICLE VIII

Nothing in this Agreement shall be considered to supersede or otherwise affect bilateral agreements between Parties to this Agreement providing for co-operation in the exchange of atomic information.

ARTICLE IX

For the purposes of this Agreement:

(*a*) "Atomic weapon" means any device utilising atomic energy, exclusive of the means for transporting or propelling the device (where such means is a separable and divisible part of the device), the principal purpose of which is for use as, or for development of, a weapon, a weapon prototype, or a weapon test device.

(*b*) "Atomic information" to be provided by the Government of the United States of America under this Agreement means information which is designated "Restricted Data" or "Formerly Restricted Data" by the Government of the United States of America.

ARTICLE X

1. This Agreement shall enter into force(4) upon receipt by the Government of the United States of America of notification from all Parties to the North Atlantic Treaty that they are willing to be bound by the terms of the Agreement.

2. The Government of the United States of America will inform all Parties to the North Atlantic Treaty, and will also inform the North Atlantic Treaty Organisation, of each notification and of the entry into force of this Agreement.

3. This Agreement shall remain in force until terminated by unanimous agreement or superseded by another agreement, it being understood, however, that termination of this Agreement as a whole shall not release any Party from the requirements of this Agreement to safeguard information made available pursuant to it.

ARTICLE XI

Notwithstanding the provisions of Article VI (4) of the Agreement between the Parties to the North Atlantic Treaty for Co-operation regarding Atomic Information, signed in Paris on 22nd June, 1955(5), the present Agreement shall upon its entry into force supersede the above-mentioned Agreement, it being understood, however, that information communicated under that Agreement shall be considered for all purposes to to have been communicated under the provisions of this Agreement.

ARTICLE XII

This Agreement shall bear the date on which it is opened for signature and shall remain open for signature until it has been signed by all the States Parties to the North Atlantic Treaty.

(4) The Agreement entered into force 12 March, 1965.
(5) Vol. 162, page 271.

In witness whereof the undersigned Representatives have signed the present Agreement on behalf of their respective States, members of the North Atlantic Treaty Organisation, and on behalf of the North Atlantic Treaty Organisation.

Done at Paris this 18th day of June, 1964, in the English and French languages, both texts being equally authoritative, in a single original which shall be deposited in the archives of the Government of the United States of America. The Government of the United States of America shall transmit certified copies thereof to all the signatory and acceding States.

[Signed on behalf of Belgium, Canada, Denmark, France, Federal Republic of Germany, Greece, Iceland, Italy, Luxembourg, Netherlands, Norway, Portugal, Turkey, the United Kingdom and the United States of America.]

PROTOCOL to the Convention for the Establishment of a European Organisation for the Development and Construction of Space Vehicle Launchers, concerning the Use of Technical Information for purposes not within the Field of Space Technology.—London, 22nd June, 1964[1]

The States parties to the Convention for the Establishment of a European Organisation for the Development and Construction of Space Vehicle Launchers[2] (hereinafter referred to as the Convention) ;

Desiring to determine as required by Article 8 (1) (*e*) (ii) of the Convention the conditions under which the technical information referred to in the said Article 8, arising under contracts placed as part of the programmes of the Organisation, may be used by the persons referred to in the said Article for purposes not within the field of space technology ;

Desiring, further, to clarify the meaning of the term " field of space technology " used in Article 8 of the Convention ;

Have agreed as follows:

ARTICLE 1

The provisions of this Protocol shall not interfere with the right of the owner of technical information arising under a

(1) Treaty Series No. 82 (1969) (Cmnd. 4121).
(2) Vol. 166, page 679.

contract placed as part of the programmes of the Organisation pursuant to Article 6 of the Convention, subject to any obligation arising under that contract and any limitation resulting from regulations established in accordance with Article 8 (2) (*a*) of the Convention and in accordance with terms and conditions determined by mutual agreement, to authorise any person to use such information.

ARTICLE 2

(1) Technical information referred to in Article 8 (1) (*e*) (ii) of the Convention which arises under a contract concluded in accordance with Article 6 of the Convention with a view to carrying out a programme of the Organisation to the cost of which a Member State is a contributor, may be used for purposes outside the field of space technology by any person whether an individual, company or organisation under the jurisdiction and resident in the territory of that Member State, in accordance with the provisions of this Article.

(2) Any such person who has been unable through normal commercial negotiations to reach agreement concerning such use and who is sponsored by the Member State in whose territory he is resident and under whose jurisdiction he is, shall have the right, subject to the provisions of Article 8 of the Convention, to be authorised for such use on commercially reasonable non-discriminatory terms, under the procedure set forth in paragraph (3).

(3) (*a*) Any request for an authorisation under this Article shall be made to the Secretary-General of the Organisation through the Member State.

The Secretary-General, on receipt of such request, shall give notice of it to the owner of the information and at the same time shall require him within a period to be specified by the Secretary-General to grant the authorisation on commercially reasonable and non-discriminatory terms. Such authorisation is, in the first instance, a matter for negotiation between the owner and the person seeking the authorisation.

(*b*) Failing agreement between these parties within the period specified, the terms on which the authorisation is to be given shall be determined by arbitration in accordance with the following procedure:

(i) If the parties themselves are unable to agree on the arbitration procedure, a panel of three arbitrators shall be constituted to establish the terms of the authorisation. Within a period to be specified by the Secretary-General each party shall nominate one arbitrator and these two shall choose the third. Failing the nomination of arbitrators in this manner the Council shall take such steps as may be necessary to complete the panel.

(ii) In the event of such an arbitration, the authorisation shall be granted on the terms determined by the arbitrators, whose decision shall be final and conclusive.

(*c*) A person applying for authorisation under arbitration is not obliged to accept the authorisation.

The costs of arbitration shall be borne by the person who has applied for the authorisation, except those relating to the arbitrator designated by the owner of the information, which shall be chargeable to the latter. However, should the person applying for authorisation under arbitration refuse to accept such authorisation, the entire costs of arbitration shall be borne by him.

ARTICLE 3

A use shall be regarded as being within the field of space technology if it is undertaken for the purposes of research, development, manufacture, testing or use of space vehicle launchers, payloads to be carried by space vehicle launchers, ground equipment specifically pertaining to such launchers or launchers, payloads to be carried by space vehicle launchers, to such launchers, payloads or ground equipment.

ARTICLE 4

Except when otherwise authorised by the Secretary-General, the Member States and the Organisation shall be required to insert clauses to ensure the implementation of the provisions of this Protocol in contracts concluded with a view to carrying out the programmes of the Organisation in accordance with Article 6 of the Convention.

ARTICLE 5

(1) This Protocol shall be open for signature until the 31st July, 1964 by States which have signed the Convention.

(2) A Member State may declare at the time of signature of this Protocol that its signature is subject to ratification or approval.

(3) This Protocol shall enter into force:

(*a*) on the date of entry into force of the Convention

or

(*b*) on the date when it has been signed without reservation of ratification or approval, or has been ratified or approved, by Member States the total of whose contributions according to the table in the Annex(3) to the Financial Protocol annexed to the Convention amounts to at least 85%,

whichever is the later.

(4) On the entry into force of this Protocol in accordance with paragraph (3), the Protocol shall be deemed to form an integral part of the Convention.

(5) Notwithstanding the provisions of paragraphs (3) and (4), for any Member State making the declaration referred to in paragraph (2) not having deposited its instrument of ratification or approval by the date on which this Protocol enters into force pursuant to paragraph (3), the Protocol shall enter into force on the date of the deposit of its instrument of ratification or approval.

(6) For any Member State which does not sign this Protocol within the period specified in paragraph (1), the Protocol shall enter into force:

(*a*) on the date of the entry into force of the Convention for that State,

or

(*b*) on the date of the entry into force of this Protocol in accordance with paragraph (3),

whichever is the later.(4)

(3) Vol. 166, page 709.

(4) The Protocol entered into force on 7 February, 1968. A revised table of contributions, used to calculate this date of entry into force, was employed following the unanimous adoption of a proposal to this effect at the Sixth Session of the ELDO Council held on 9 and 10 March, 1965. This revised table, which replaced that published in the Annex to the Financial Protocol (Vol. 166, page 710), is as follows:

	Percentage
Belgium	2·85
France	23·93
Federal Republic of Germany	22·01
Italy	9·78
Netherlands	2·64
United Kingdom	38·79

In witness whereof the undersigned plenipotentiaries, duly authorised thereto, have signed this Protocol.

Done at London this 22nd day of June, 1964, in the English and French languages, both texts being equally authoritative, in a single original, which shall be deposited in the archives of the Government of the United Kingdom of Great Britain and Northern Ireland, who shall transmit certified true copies to each signatory State.

[Signed on behalf of Australia(5), Belgium(5), France(5), Federal Republic of Germany, Italy(5), the Netherlands(5) and the United Kingdom.]

RATIFICATIONS

Country	*Date*
Australia	13th August, 1968.
Belgium	10th March, 1967.
France	7th February, 1968.
Italy	—
Netherlands	5th March, 1965.

(5) Subject to ratification.

DOCUMENTS relating to British involvement in the Indo-China Conflict in respect of Laos and Cambodia.—2nd September, 1962 to 29th June, 1964(1)

Introduction

The problems arising in Laos were the subject of a statement in the House of Commons by the Lord Privy Seal on 2 July 1963(2).

2. On the issues referred to above and on others the two Co-Chairmen(3) failed to act in unison. When, however, the military coup was attempted in Vientiane in April 1964, the Co-Chairmen joined in condemning it(4). In the confused situation which ensued on this incident, a number of proposals for a solution of the problems of Laos were put forward from different quarters. Some Governments, including the French and

(1) *Miscellaneous* No. 25 (1965) (Cmnd. 2834), pages 36–38.
(2) Page 7.
(3) *i.e.* the British and Soviet Co-Chairmen of the International Conference for the Settlement of the Laotion Question held at Geneva in 1961–62.
(4) Document 1 below.

Cambodian, the Soviet and the Chinese, were in favour of convening yet another international conference, while the Polish Government suggested consultations amongst the Foreign Ministers of the Control Commission Governments and the Co-Chairmen, though this proposal appears to have found little favour in the eyes of other Communist Powers and was soon abandoned. Her Majesty's Government looked for an immediate solution in meetings to be held in Vientiane between the diplomatic missions of the Geneva Powers(5). Meetings were accordingly held in Vientiane during June on the invitation of H.M. Chargé d'Affaires, though China, Cambodia, France, the Soviet Union, the Democratic Republic of Viet-Nam and Burma were not represented. The United States, Thailand, South Viet-Nam, Canada and, with some reservations, India accepted the invitation(6). These meetings resulted in a series of recommendations designed to strengthen the International Commission(7) and the Indian representative, while dissociating himself from these recommendations on the grounds that they encroached on the sphere of the Commission and that, in any case, India was herself a member of the Commission, nevertheless subscribed to a communiqué urging the Co-Chairmen to do all in their power to bring about an immediate cease-fire.

3. In practice, however, there seemed to be little that the Co-Chairmen could do. The Neo Lao Hak Sat showed no signs of responding to any appeals, whether made publicly or privately, and the Soviet Government appeared to become increasingly resentful of the infructuous burden which the Co-Chairmanship in Laos involved. In July 1964, there seemed to be a distinct possibility that the Soviet Co-Chairman might abandon his office(8), and in the House of Commons concern was expressed at the prospect by both sides of the House(9).

4. In a visit to Moscow, the Foreign Secretary, Mr. Butler, informed the Soviet leaders of the British Government's hope for the continuance of a method of co-operation which had over a period of ten years helped to prevent the conflict in Laos from spreading abroad(10).

(5) Documents 2 and 3 below.
(6) Document 4 below.
(7) Document 5 below.
(8) *Miscellaneous* No. 25 (1965) (Cmnd. 2834), page 239.
(9) *Ibid.*, pages 239 and 240.
(10) *Ibid.*, pages 240 and 242.

5. In the case of Cambodia, as so often in the cases of Viet-Nam and Laos, the Co-Chairmen tended to pursue different lines. Prince Sihanouk wanted to secure an international guarantee of his country's neutrality through the holding of a conference, and in 1962 after frontier incidents on the Viet-Namese and Thai borders had occurred he proposed a reconvening of the conference that had just concluded its labours in respect of Laos, but Her Majesty's Government thought that it would be easier to reach a settlement by direct negotiations between Cambodia and her neighbours(11), and the United States took a similar line. Cambodia, however, supported by the Soviet Union, adhered to the demand for a conference, and on 14 December 1963, announced the withdrawal of the personnel of her Embassies in London and Washington, though without severing diplomatic relations.

6. As bilateral negotiations seemed unlikely to take place, Her Majesty's Government stated in December 1963, that it supported the principle of convening a conference(12). But it was apparent that unless there were general agreement amongst the interested Powers on the desirability of holding such an assembly, no conference could be held. Neither Her Majesty's Government nor the Soviet Government as Co-Chairmen had the authority severally or jointly to require attendance at a conference ; they could do no more than issue invitations, a step which would be useless unless the governments so invited were agreeable. Until, therefore, Cambodia's relations with her neighbours in Thailand and South Viet-Nam were put on a better footing, no proposal for a conference was likely to lead to a constructive result.

7. However, the British Co-Chairman prepared drafts of documents on Cambodian neutrality which were submitted to the Soviet Co-Chairman and to the Cambodian Government(13). Exchanges of views, without agreement, continued, the British view being that the first step must be to reach agreement on the tasks to be achieved by a conference(14).

8. Meanwhile frontier incidents occurred, and Prince Sihanouk continued to press for a conference(15). The British

(11) Document 6 below.
(12) Documents 7 and 8 below.
(13) *Miscellaneous* No. 25 (1965) (Cmnd. 2834), page 243.
(14) *Ibid.*, page 244.
(15) *Ibid.*, page 244 to 246.

Co-Chairman, while desirous of organising a conference, still saw more hope in direct negotiations between Cambodia and other Powers([16]), but Prince Sihanouk thought that the United Kingdom was seeking to avoid the holding of a conference([17]). A good deal of irritation was engendered in Cambodia, where in March 1964, a mob attacked and wrecked the British and American Embassies in Phnom Penh. In a broadcast statement expressing regret for this outrage Prince Sihanouk stated that the incident reflected " the legitimate exasperation of Cambodian youth at the repeated humiliations inflicted on their country by the Anglo-Saxon Powers ".

9. The British position was clearly stated by the Secretary of State in March 1964, in an exchange of views with the Soviet Co-Chairman and in a message to Prince Sihanouk. He pointed out that it would serve no purpose to issue invitations to a conference unless all the governments concerned were willing to attend, and that therefore the best course would be for the Cambodian Government to discuss its differences with other interested Powers, so as to arrive at a preliminary agreement which a conference could endorse([18]).

10. Discussions on this basis amongst the Powers continued during the remaining months of the year, and in the early months of 1965 appeared to be approaching a useful conclusion([19]).

1.—MESSAGE FROM THE CO-CHAIRMEN OF THE GENEVA CONFERENCE TO THE LEADERS OF THE THREE POLITICAL PARTIES IN LAOS AND TO THE GENEVA CONFERENCE POWERS, 1ST MAY, 1964

The Co-Chairmen express serious concern in connection with the attempt made on 19th April this year to achieve a military *coup d'état* in Vientiane for the purpose of overthrowing the Coalition Government of Laos. The Co-Chairmen decisively condemn this act, which is designed to undermine the Geneva Agreements([20]) which provide for the creation of a peaceful,

([16]) *Ibid.*, page 246.
([17]) *Ibid.*, pages 247 and 248.
([18]) *Miscellaneous* No. 25 (1965) (Cmnd. 2834), page 248 and Documents 9 and 10 below.
([19]) For recent Diplomatic Exchanges concerning the Proposal for an International Conference on the Neutrality and Territorial Integrity of Cambodia *see Cambodia* No. 1 (1965) (Cmnd. 2678).
([20]) Vol. 161, pages 587, 748 and 818.

independent and neutral Laos. The Geneva Agreements create the necessary basis for the solution of unresolved internal political questions by means of the collaboration of the three political parties in Laos in the interests of national agreement and unity.

The Co-Chairmen hope that the leaders of the three political parties in Laos as well as the Governments of the States which took part in the Geneva Conference will strictly adhere to the Geneva Agreements and that in Laos all obstacles to the normal fulfilment of its functions by the Coalition Governments will be removed, notably by the resumption of the tripartite negotiations begun at the Plain of Jars in which the Co-Chairmen hope that all three parties will do their utmost to seek early agreement. The Co-Chairmen also hope that the persons who have come out against the Geneva Agreements and the Coalition Government will immediately desist from their illegal activities.

The Co-Chairmen announce their full support for the Geneva Agreements and for the Government of National Union under Prince Souvanna Phouma which is called upon to ensure the development of Laos along the path of peace and neutrality.

2.—FOREIGN OFFICE STATEMENT ON LAOS, 21ST MAY, 1964

On 16 May the Prime Minister of Laos, Prince Souvanna Phouma, addressed a letter protesting to the Co-Chairmen of the Geneva Conference against Pathet Lao attacks on Neutralist forces in the Plain of Jars. Her Majesty's Government have already expressed their serious concern at the dangerous situation created by these attacks which are in flagrant violation of the Geneva Agreements and have made representations to the Soviet and Chinese Governments on the subject. They are also supporting the Laotian Prime Minister's efforts to promote consultations in Vientiane, in accordance with Article 4 of the Declaration on the Neutrality of Laos of 1962([21]), among representatives of the Geneva Powers and of the Royal Government of Laos. Her Majesty's Government earnestly hope that these efforts, in the spirit of the Geneva Agreements, to stop the fighting in Laos and to restore the situation there will meet with a positive response from all concerned. Meanwhile, Her Majesty's Government will continue to maintain the closest

([21]) Vol. 166, page 720.

possible contact on this subject with the United States Government and our allies as well as with other members of the Geneva Conference.

3.—STATEMENT BY THE FOREIGN SECRETARY IN THE HOUSE OF COMMONS, 2ND JUNE, 1964

On 21st May Her Majesty's Government received an oral communication from the Government of the Soviet Union proposing the re-convening of the international conference on the settlement of the Laotian question. In addition, Her Majesty's Government have received a number of proposals from other Governments concerning consultations on Laos, notably from the Governments of Cambodia, China, France and Poland. I have also had a telegram from Mr. Xuan Thuy in Hanoi proposing a conference.

Diplomatic exchanges on this question are still in progress but, as an interim reply, I have informed the Governments concerned that Her Majesty's Chargé d'Affaires at Vientiane has invited diplomatic representatives in that capital of the Geneva Powers to consultations on measures required to restore the situation in Laos. These consultations started this morning.

I have also told those Governments that Her Majesty's Government hope to be able to give a further reply when progress has been made with these consultations and in the light of developments meanwhile.

4.—INVITATIONS ISSUED BY HER MAJESTY'S CHARGÉ D'AFFAIRES AT VIENTIANE TO REPRESENTATIVES OF THE GENEVA CONFERENCE POWERS, 26TH MAY, 1964

Your Excellency,

In my capacity as the Representative of the British Co-Chairmen of the International Conference on the settlement of the Laotian Question at Geneva 1961–62, I have been instructed by my Government to arrange consultations in Vientiane between the representatives of the Signatory Powers at the Geneva Conference under Article 4 of the Declaration on the Neutrality of Laos which reads as follows:

"They (the States participating in the International Conference on the Settlement of the Laotian Question) undertake in the event of a violation or threat of violation of the

sovereignty, independence, neutrality, unity or territorial integrity of the Kingdom of Laos, to consult jointly with the Royal Government of Laos and amongst themselves in order to consider measures which might prove to be necessary to ensure the observance of these principles and other provisions of the present declaration."

The objective of these consultations will be:

(*a*) To assess the military situation.

(*b*) To call for a cease-fire and the withdrawal of the Pathet Lao troops to the position they occupied before 16 May, 1964.

(*c*) To discuss any recommendations which might be made by the Co-Chairmen to the International Commission for Supervision and Control in Laos under the terms of Article 8 of the Geneva Protocol.

(*d*) To discuss prior conditions under which an international conference might eventually be held.

The Prime Minister has already drawn the attention of representatives of the Co-Chairmen to Article 4 of the Declaration on the Neutrality of Laos(21) in a letter dated 19 May, 1964. He subsequently indicated that he would welcome such consultations and would be grateful if you would let me know as soon as possible whether you will be able to do so. The time and place of the meeting will be notified in due course.

Highest considerations, etc.

5.—RECOMMENDATIONS BY THE REPRESENTATIVES OF THE GENEVA CONFERENCE POWERS, VIENTIANE, 29TH JUNE, 1964

The undersigned representatives of the signatories of the Geneva Accords meeting in Vientiane at the request of the Prime Minister of Laos have considered in relation to the work of the International Commission for Supervision and Control what recommendations might be made to the Co-Chairmen under Article 8 of the Geneva Protocol(21). They have concluded that in view of the deteriorating situation in Laos resulting from renewed military attacks and the need to increase the effectiveness of the International Commission, the

(21) Vol. 166, page 720.

recommendations listed below should be made to the Commission by the Co-Chairmen in accordance with their right under Article 8 of the Protocol at any time to make recommendations to the Commission exercising general guidance. It is their belief that action on these recommendations will result in satisfactory execution of the provisions of the Geneva Agreements of 1962.

A. *Recommendations for Action to Deal with the Present Crisis*

1. In view of the obligations imposed by Articles 14 and 16 of the Geneva Protocol on member-States of the Commission to work in harmony and to ensure the continued presence of their representatives on the Commission, the Polish representatives should be urged to resume full participation in the work of the Commission, forthwith, it being understood that during their absence the representatives of India and Canada have the right and indeed the obligation to carry out the Commission's duties.

2. In view of the deteriorating situation in Laos as confirmed from time to time by the Prime Minister's statements and as demonstrated by the military assessment made during the course of the consultations in Vientiane and in particular of the recent alleged violations by Pathet Lao/North Viet-Namese forces of Articles 4, 6 and 9 of the Protocol and of paragraph 2 (i) of the Geneva Declaration ([21]), the Commission should as a matter of urgency:

(*a*) make every effort to investigate these alleged violations ;

(*b*) take whatever steps are open to it to restore the situation ; and

(*c*) report to the Co-Chairmen under Article 8 on the situation in Laos, the action taken by the Commission and any other important information available to it.

3. The Commission should supervise and control the cease-fire and withdrawal of forces called for during the consultations in Vientiane. For this purpose, it should be given every assistance that it requires from all Royal Lao Government authorities, and from all military commanders and other persons exercising authority in any area of Laos which the

([21]) Vol. 166, page 720.

Commission judges it necessary to visit for the purpose of verifying the cease-fire and withdrawal. The Commission should report to the Co-Chairmen on the action it takes in accordance with this Recommendation (drawing attention to any hindrance encountered in carrying out its duties), on the observance of the cease-fire and on the progress made with the withdrawal.

B. *General Recommendations Designed to Increase the Effectiveness of the Commission*

4. The Commission should appeal to the Royal Lao Government and to all others concerned expressing the view that all members of the Commission and their personnel should be provided with the security and immunity to which they are entitled under the Geneva Agreements and which are essential for the Commission's proper functioning.

5. While unanimity within the Commission is eminently desirable as a basis for effective action, the Commission should give priority to the more basic requirement that it should carry out its responsibilities under the Geneva Agreements and to that end should exercise the right of majority action provided by the Geneva Agreements, in the awareness that any inordinate delay serves only the interest of the party against which a complaint has been made.

6. Any request from the Prime Minister of the Royal Lao Government for the Commission to investigate or despatch a team under Article 15 should be treated as a request from the Royal Lao Government and should therefore be regarded as a mandatory request under this Article, to be acted on without prior decision by the Commission itself.

7. In order to avoid situations in which the Commission is confronted with a *fait accompli* by acts of aggression, and in accordance with its obligations under Article 8, the Commission should despatch teams or observers to areas where hostilities may be expected to break out. Such teams or observers might be sent on a "temporary but continuous basis" (as in the Plain of Jars) or might be "mobile" (like those sent to Paksane and Vang Vieng) depending on the needs of the situation.

8. In order better to fulfil its obligations to report to the Co-Chairmen as set out in Article 8, the Commission should:

(*a*) make more frequent periodic reports covering its activities as a whole, perhaps quarterly;

(*b*) bear in mind the importance of reporting quickly to the Co-Chairmen on any violations or threats of violation of the Protocol;

(*c*) make interim reports, explaining the circumstances whenever there is any undue delay in the submission of a definitive report under (*b*), and in particular whenever it is not possible to complete such a definitive report within a few days of receipt of a report from a team or observer(s); and

(*d*) report immediately whenever any request for action is received from the Royal Lao Government.

9. The Commission should make clear to those concerned that the failure of any party to an investigation or inspection to provide facilities and access to any team or body duly constituted by the Commission to undertake a function specified under the Protocol or Declaration is a violation of Article 13 of the Protocol; any failure to provide access is furthermore a violation of the statement of neutrality made by the Royal Lao Government on July 9, 1962 (and in particular paragraph 2 thereof), a statement which was incorporated as an integral part of the Geneva Declaration.

10. The Commission should call on the Neo Lao Hak Sat authorities for a declaration, parallel to those sent to the Commission by the Prime Minister and General Phoumi Nosavan on April 12, 1963, and April 24, 1963, respectively, according the Commission full freedom to travel anywhere within the areas controlled by the Neo Lao Hak Sat.

11. The Commission should urge the Royal Lao Government to complete the working out of detailed arrangements under the general cease-fire proclaimed on June 24, 1962, in order to facilitate the Commission's execution of its responsibilities under Article 9 of the Protocol.

[Signed on behalf of the Governments of Canada, Thailand, the United States of America and the Republic of Vietnam.]

6.—MESSAGE FROM THE PRIME MINISTER TO PRINCE SIHANOUK OF CAMBODIA, LONDON, 2ND SEPTEMBER, 1962

. . . As regards your proposal for an international conference, I am in full agreement that any difficulties between the Kingdom of Cambodia and her neighbours should be resolved by international negotiation. Clearly if international agreement is to be reached, there must be some procedure acceptable to all parties and particularly to those principally concerned, namely Cambodia, Thailand and South Viet-Nam. Her Majesty's Government would readily support any proposal agreed between those three parties and would willingly assist to forward such a solution in any way. I feel that it might be easier to reach a settlement by this means than by another conference of the 14 Powers.

7.—MESSAGE FROM THE FOREIGN SECRETARY TO THE PRIME MINISTER OF CAMBODIA, LONDON, 18TH DECEMBER, 1963

As I said in my message of 4 December I have been giving your Government's proposal for the holding of a conference on Cambodian neutrality my urgent consideration and I am glad to say now that I can support your proposal in principle.

In my consultations with some of the Governments concerned, I have been made aware of serious difficulties. Nevertheless, I hope, with your assistance, that these difficulties can be overcome. In this delicate task it would clearly be of the greatest help if all Governments concerned would exercise the utmost restraint in the present situation.

I am now giving my attention to the question of what we should seek to achieve in a conference, and what results would be satisfactory to your Government and to others participating. I look forward to consulting you shortly over my preliminary conclusions based on the proposals your Government has put forward.

8.—MESSAGE FROM THE FOREIGN SECRETARY TO MR. GROMYKO, LONDON, 18TH DECEMBER, 1963

I have been giving careful consideration to your Note of 11 December informing me of your Government's support for the proposal put forward by the Cambodian Government for a

conference on Cambodian neutrality. Although I can support the proposal in principle, it still presents difficulties. I am, however, trying to achieve conditions which would make possible the holding of a conference with constructive results. To this end it is necessary that the Governments concerned should seek to create a better atmosphere by the avoidance of any further public controversy. I am sure you will agree that careful preparation of the work of a conference is essential in order to ensure that the results will satisfy the Cambodian Government and also be acceptable to other Governments including Cambodia's neighbours.

I am treating this matter as one of urgency and look forward to presenting some proposals to you for discussion shortly. In particular, I shall want to exchange views with you on the date and place for a conference.

I am instructing the British Ambassador at Phnom Penh to inform the Cambodian Government of the steps we are taking to meet their request.

9.—AIDE-MÉMOIRE FROM H.M. GOVERNMENT TO THE SOVIET GOVERNMENT, LONDON, 24TH MARCH, 1964

Her Majesty's Government conveyed to the Soviet Government on 28 January 1964, their initial reactions to the proposal earlier made by the Soviet Government that the two Co-Chairmen of the Geneva Conference on Indo-China should send a message to the Governments which took part in the 1961–62 conference on Laos about convening a conference on Cambodia in Geneva in April. In their earlier communication Her Majesty's Government, while accepting the place and composition proposed for this conference by the Soviet Government, suggested that further action should be deferred in order that certain preparatory work should meanwhile be undertaken to facilitate the task of convening a representative and effective conference.

A number of efforts have since been made to this end, both by Her Majesty's Government and by other Governments concerned. Her Majesty's Government welcomed, in particular, Prince Sihanouk's proposal for a quadripartite meeting of representatives of Cambodia, Thailand, the United States and the Republic of Viet-Nam and thought it preferable not to propose

further action concerning a Geneva Conference until it was clear whether or not this preliminary quadripartite meeting would be held.

Efforts to bring about either quadripartite negotiations or bilateral talks between Cambodia and the Republic of Viet-Nam have been protracted. In these circumstances, Her Majesty's Government understand the impatience manifested by the Soviet and Cambodian Governments and their desire to proceed immediately to the convocation of a Fourteen-Power Conference. The recent incident at Chantrea is obviously another matter calling for urgent settlement through negotiations.

But it remains essential to bear in mind the realities of the situation. Neither Her Majesty's Government nor the Soviet Government are parties to the disputes between Cambodia and her neighbours. Both Her Majesty's Government and the Soviet Government are already pledged to respect Cambodia's territorial integrity and, so far as Her Majesty's Government are concerned, determined to respect her neutrality. It would thus serve no useful purpose for Her Majesty's Government and the Soviet Government to issue invitations to an international conference without some assurance of the attendance of those Governments with whom Cambodia is actually in dispute and from whom she seeks undertakings concerning her neutrality and territorial integrity.

Her Majesty's Government have throughout endeavoured to secure such an assurance, but have had to recognise that, at least until there is some degree of preliminary agreement among the parties directly concerned, there is at present no prospect of persuading all the Governments involved to accept an invitation from the two Co-Chairmen to attend a Fourteen-Power Conference on Cambodia.

In these circumstances Her Majesty's Government consider that the most immediate contribution the two Co-Chairmen could make to reducing tension in the area and preparing for an international Conference would be to urge the Governments of Cambodia, Thailand, the United States and the Republic of Viet-Nam to initiate as soon as possible the quadripartite negotiations originally proposed by Prince Sihanouk.

10.—MESSAGE FROM THE FOREIGN SECRETARY TO PRINCE SIHANOUK OF CAMBODIA, LONDON, 24TH MARCH, 1964

I have received the two messages sent me by Your Royal Highness on 22 March and 23 March.

2. As I have explained to the Soviet Government, I do not think it would be helpful for the two Co-Chairmen to issue invitations to a Geneva conference at present.

3. To serve its purpose such a conference would have to be attended by all the Governments directly concerned and my enquiries have convinced me that certain Governments would not at present agree to do so.

4. A different situation would be created if the Governments of Cambodia, Thailand, the United States and the Republic of Viet-Nam would, as originally suggested by Your Royal Highness, agree to discuss their differences and arrive at a preliminary agreement. Once such an agreement has been reached I would foresee much less difficulty in convening an international conference to endorse it.

5. Meanwhile I hope Your Royal Highness will accept my best regards and my best wishes for your success.

COMMUNIQUE of the Ministerial Meeting of the EFTA and Finland-EFTA Councils.—Edinburgh, 10th July, 1964

Meetings of the Council of the European Free Trade Association and of the Joint Council of Association with Finland were held in Edinburgh on 9th-10th July under the Chairmanship of Mr. Edward Heath, Secretary of State for Industry, Trade and Regional Development (United Kingdom). Ministers reviewed the whole range of the Association's internal activities and recent developments in their relations with other countries. They expressed their satisfaction with the progress made toward complete free trade in industrial products by the end of 1966.

EFTA Ministers discussed recent contacts with members of the European Economic Community and with the Commission. They stressed the importance of minimising adverse consequences of the progressive establishment of two trading

groups in Europe and avoiding serious divergencies on questions of commercial policy or such technical matters as standardisation and patents.

On the basis of a complete report by Austrian Ministers, there was a full discussion of the exploratory talks which had taken place between Austria and the Community.

EFTA Ministers also reviewed the information policy of the Association and approved measures designed to promote a fuller understanding of the Association's objectives and achievements.

EFTA Ministers, together with their Finnish colleague, reviewed the extensive programme of internal work under way in EFTA, dealing with both industrial products and with agriculture. Member States are now entering the final stages of eliminating tariffs and quantitative restrictions; it is therefore important to ensure that the advantages of the large single market are not frustrated by other barriers to trade. Special attention was devoted to the work of the Economic Development Committee; Ministers approved its report, and gave instructions for its work to be carried forward. The effective role played by the EFTA Consultative Committee was also welcomed.

In reviewing the outcome of the United Nations Conference on Trade and Development, Ministers stressed the importance of continuing to work for constructive solutions to the outstanding problems of developing countries. EFTA countries import more per capita from developing countries than any other major trading group, and six EFTA countries are to be represented on the Trade and Development Board.

The Ministers examined the current prospects for the Kennedy Round. They reaffirmed their resolve to work for a 50 per cent. linear cut in tariffs with a bare minimum of exceptions justified only for reasons of overriding national interest, but they stressed the importance of finding an acceptable basis for negotiations on agricultural products. The Kennedy Round offers an unprecedented opportunity to open markets for the benefit of the developing as well as of the industrialised countries and to reduce the barriers between the two European trading groups.

It was agreed that the next Meeting of the two Councils at Ministerial level will be held in Geneva on 19th-20th November 1964.

FINAL COMMUNIQUE of the Commonwealth Prime Ministers Meeting.—London, 15th July, 1964[1]

The Meeting of Commonwealth Prime Ministers ended today. Pakistan, Ghana and Tanganyika and Zanzibar were represented by their Presidents. Britain, Canada, Australia, New Zealand, Ceylon, Malaysia, Nigeria, Sierra Leone, Trinidad and Tobago, Uganda, Kenya and Malawi were represented by their Prime Ministers. India was represented by the Minister of Finance ; Cyprus by the Minister of Foreign Affairs ; and Jamaica by the Deputy Prime Minister and Minister of Finance.

This was the first Meeting at which Uganda and Kenya were represented as independent Members ; and the other Commonwealth Heads of Government were glad to greet their Prime Ministers. They expressed their satisfaction at the establishment of Malaysia which they had welcomed at their last Meeting in 1962[2] and they greeted Tunku Abdul Rahman as Prime Minister of Malaysia. They also welcomed the attainment of independence by Malawi on 6th July, 1964, and agreed that Malawi should be admitted to Membership of the Commonwealth. They invited the Prime Minister of Malawi, Dr. Banda, to join their Meeting ; and Dr. Banda took his seat on 9th July. They noted that Northern Rhodesia would become independent on 24th October, 1964, as the Republic of Zambia ; and they looked forward to welcoming Zambia as a Member of the Commonwealth on the completion of the necessary constitutional processes.

In the course of their discussion, the Presidents and Prime Ministers reviewed the major issues of the day.

They agreed that one of the most important of these is race relations. It was agreed that the Commonwealth has a particular rôle to play in the search for solutions to the inter-racial problems which are threatening the orderly development of mankind in general and of many particular areas in the world

(1) Cmnd. 2441.
(2) Vol. 166, page 768.

today. As a community of many different races, the Commonwealth is itself an almost unique experiment in international co-operation among peoples of several races and continents. Within their own borders many of its members have faced and are facing issues raised by the co-existence of differing cultures within a democratic society. The Prime Ministers affirmed their belief that, for all Commonwealth Governments, it should be an objective of policy to build in each country a structure of society which offers equal opportunity and non-discrimination for all its people, irrespective of race, colour or creed. The Commonwealth should be able to exercise constructive leadership in the application of democratic principles in a manner which will enable the people of each country of different racial and cultural groups to exist and develop as free and equal citizens.

The Prime Ministers recalled the critical international situation which had developed shortly after their last Meeting in the autumn of 1962 and the grave threat to peace which it had implied. They believed that the fact that it was successfully resolved may have been in some sense a turning point in the relations between the major Powers and may have marked the beginning of a new period in international affairs in which the world may hope for a gradual relaxation of tension. This will not be a short or simple process ; but the Prime Ministers noted with satisfaction the further steps which had already been taken to reduce the causes of friction, particularly the conclusion of the Tests Ban Treaty(3) and the subsequent agreements between the Governments of the United Kingdom, the United States and the Soviet Union not to place nuclear weapons in outer space. They also welcomed the reductions in the output of fissile material for military purposes which these Governments have made.(4)

Against this background, the Prime Ministers expressed their hope that these steps would lead progressively to general and complete disarmament. They reaffirmed their support for the work of the Geneva Disarmament Conference and their determination to seek to extend the scope of disarmament in accordance with the principles expressed in their statement of 17th March, 1961(5), particularly by endeavouring to promote

(3) Page 178.
(4) *See* page 584.
(5) Vol. 165, page 182.

an agreement to prohibit the further dissemination of nuclear weapons and of knowledge relating to their manufacture and use. They will maintain their efforts to reduce the areas of international disagreement by all the means within their power, while maintaining both the strength and the resolution to resist aggression from without or subversion from within. In this connection they assured the Prime Minister of Malaysia of their sympathy and support in his efforts to preserve the sovereign independence and integrity of his country and to promote a peaceful and honourable settlement of current differences between Malaysia and neighbouring countries.

They discussed the great significance of China for South and South-East Asia. They also discussed the question of relations with China and of her Membership of the United Nations. They expressed anxiety about the continuing tension in South-East Asia and affirmed their support for all measures which might promote a just and peaceful settlement and help to re-establish stability in the area.

The Prime Ministers noted with satisfaction the friendly public statements by the President of Pakistan and the Prime Minister of India and expressed their hopes that the problems between their countries will be solved in the same friendly spirit.

While recognising that it was not a function of the Commonwealth to act as an arbiter in disputes between member nations, the Prime Ministers agreed that Commonwealth countries could play a rôle of conciliation and, where possible, consider using their good offices to help towards the settlement of disputes between member nations provided the parties concerned accepted such mediation.

The Prime Ministers renewed their support for the United Nations in its efforts to resolve disputes in various parts of the world. They reaffirmed their adherence to the principles of the Charter(6) and emphasised the importance of reinforcing the strength and capacity of the United Nations to respond to the demands which it must meet if the Charter is to be fulfilled.

The Prime Ministers expressed concern about the situation with regard to Cyprus. They reaffirmed their full support

(6) Vol. 145, page 805.

for the United Nations Security Council Resolutions of 4th March, 13th March(7) and 20th June 1964. The Prime Ministers asserted that the Cyprus problem should be solved within the frame-work of the United Nations and in accordance with the principles of democracy and justice.

They appealed to all countries concerned to refrain from any action which might undermine the task of the United Nations peace-keeping force, to which a number of Commonwealth countries are contributing, or might prejudice the endeavours of the United Nations to find a lasting solution in conformity with the Charter of the United Nations.

The Prime Ministers undertook to consider practical measures to strengthen the peace-keeping machinery of the United Nations and to reduce the degree of improvisation required in an emergency. They agreed that consultation and co-operation among interested governments in this matter could be of great value in contributing to the improvement of the peace-keeping effectiveness of the United Nations.

The Prime Ministers expressed their concern at the possible effect on United Nations operations in all fields of a prolongation of the United Nations financial crisis. They expressed a common desire to work towards a long-term equitable solution of the problem of financing large-scale United Nations peace-keeping operations and agreed that any such solution should be based on the principles of collective financial responsibility and relative capacity to pay.

Britain made the following statement to the Meeting about the progress of British Colonial dependencies towards independence.

> Already more than twenty countries (with a total population of some 700 millions) had achieved sovereign independence under British guidance. This process was continuing all the time. Northern Rhodesia would be independent in October and the Gambia very soon after. Basutoland had been promised that she could have independence in about eighteen months' time ; Bechuanaland would be free to follow when she wished ; and Swaziland's new constitution had now set her on the same course. In addition it had been agreed that the Federation

(7) Pages 711 and 712.

of South Arabia should become independent within the next 3½ years. British Guiana would become independent as soon as she was able to assure internal peace. Southern Rhodesia would attain full sovereignty as soon as her governmental institutions were sufficiently representative.

There were a number of other Colonies which already enjoyed a wide measure of self-government. These included the Bahamas, Barbados, British Honduras and Mauritius. In addition there were some twenty other Colonies and Protectorates with a combined population of about five million. Of these over three million were in Hong Kong where the circumstances were exceptional. Of the remainder only two territories had a population of more than 100,000. Several had less than 10,000. The smallest (Pitcairn) in the Pacific had only 90 inhabitants. It was clear that no uniform pattern would fit all these very different territories. Some might feel strong enough to proceed to independence on their own. Some might join with others to form larger and more viable units. Some might wish to couple independence with a treaty of friendship such as Western Samoa concluded with New Zealand. Some would for the present prefer to remain as they were.

The Prime Ministers of the other Commonwealth countries welcomed the progress of British territories to independent membership of the Commonwealth. They recognised that the authority and responsibility for leading her remaining Colonies to independence must continue to rest with Britain.

At the same time, Prime Ministers of other Commonwealth countries expressed their views to the Prime Minister of Britain on the question of the progress of Southern Rhodesia towards independence within the Commonwealth. They welcomed the decision already announced by the British Government that, as in the case of other territories, the existence of sufficiently representative institutions would be a condition of the grant of independence to Southern Rhodesia. They also noted with approval the statement already made by the British Government that they would not recognise any unilateral declaration of independence; and the other Prime Ministers made it clear that they would be unable to recognise any such

declaration. The view was also expressed that an Independence Conference should be convened which the leaders of all parties in Southern Rhodesia should be free to attend. The object would be to seek agreement on the steps by which Southern Rhodesia might proceed to independence within the Commonwealth at the earliest practicable time on the basis of majority rule. With a view to diminishing tensions and preparing the way for such a conference, an appeal was made for the release of all the detained African leaders. The Prime Ministers called upon all leaders and their supporters to exercise moderation and to abstain from violence; and they affirmed their belief that the best interest of all sections of the population lay in developing confidence and co-operation, on the basis of tolerance, mutual understanding and justice. In this connection, they recognised the necessity for giving confidence to the minority community in Southern Rhodesia that their interests would be protected.

The Prime Minister of Britain said that he would give careful consideration to all the views expressed by other Commonwealth Prime Ministers. At the same time he emphasised that the Government of Southern Rhodesia was constitutionally responsible for the internal affairs of that territory and that the question of the granting of independence was a matter for decision by the British Parliament.

The Meeting expressed concern at the political rivalries in British Guiana which had led to disorder and inter-racial strife and had prejudiced the attainment of independence. While several different views were expressed on the methods to be employed, a number of Prime Ministers expressed the hope that the political leaders of British Guiana would seek urgently a basis for collaboration in the interest of their fellow countrymen of all races in order to restore mutual confidence among the races and to strengthen a spirit of national purpose and unity. Only in these circumstances could British Guiana hope to sustain true independence.

The question of the progress of the smaller dependent territories in the Caribbean to independence was raised. It was emphasised that the problem for the territories was mainly one of viability: and the hope was expressed that every

practicable effort would be made to help them to strengthen their economies and so enable them to sustain the obligations of independence whether in a federation or in some other form of association.

The Prime Ministers reaffirmed their condemnation of the policy of apartheid practised by the Government of the Republic of South Africa. Some Commonwealth Prime Ministers felt very strongly that the only effective means of dealing with the problem of apartheid was the application of economic sanctions and an arms embargo. It was recognised however that there was a difference of opinion among Commonwealth countries as to the effectiveness of economic sanctions and as to the extent to which they regarded it as right or practicable to seek to secure the abandonment of apartheid by coercive action, of whatever kind. But the Prime Ministers were unanimous in calling upon South Africa to bring to an end the practice of apartheid, which had been repeatedly condemned by the United Nations and was deplored by public opinion throughout the world.

The Prime Ministers expressed their regret that Portugal had not so far given recognition to the principle of self-determination for her territories in Africa.

The Prime Ministers agreed that the issues of Commonwealth and international relations which confront them in the political field, however complex and contentious, must be seen in perspective in relation to the many factors which bring together the peoples of the Commonwealth and enable them to make a unique contribution to the promotion of peaceful development. The Commonwealth now consists of 18 independent Member countries, widely distributed over the globe and accounting for nearly a quarter of the population of the world. It is, indeed, a cross-section of the world itself; and its citizens have an unparalleled opportunity to prove that, by mutual co-operation, men and women of many different races and national cultures can live in peace and work together for the common good.

The Prime Ministers reviewed the world economic situation as it affects their countries and re-affirmed the resolve of their Governments to promote the economic development of their

countries. To this end they emphasised the need of developing countries for improved and more remunerative outlets for their trade and for increased financial aid on easier terms and on a continuing basis. They took note of the problems presented to developing countries by the conditions and terms often attached by donor Governments to their aid, of the desirability of the encouragement of private investment in developing countries and also of the upward trend in the level of financial aid extended by the more developed countries in the Commonwealth and of the easier terms on which it is offered.

There was agreement on the importance for all Commonwealth countries of following up the work of the United Nations Conference on Trade and Development, in particular with regard to expanding international trade in primary products through freer access to markets and, in appropriate cases, through commodity agreements and stabilised prices at equitable levels; working out arrangements for increasing access by preferences or otherwise to markets in developed countries for manufactured goods from developing countries; and elaborating proposals for supplementary finance to assist countries whose development might be threatened by adverse movements in their export earnings. The Prime Ministers affirmed their intention of working for a solution of these and other problems of the developing countries through the new institutions resulting from the Conference as well as through existing international bodies such as the GATT(8).

The Prime Ministers reaffirmed the resolve of the Member countries of the Commonwealth to promote the economic and social progress of developing countries. They wished to maintain their support of the work of the United Nations, its specialised agencies, the Colombo Plan(9) and other similar arrangements in this field. At the same time they wished to establish how best the members of the Commonwealth could make a further distinctive contribution of their own to the development of its Member countries. They conceived that the purpose of any new initiative in this respect should be not merely to increase the economic strength and material well-being of the recipients, vital though these considerations are, but also to strengthen the links between the countries of the

(8) Cmnd. 9413.
(9) Vol. 158, page 489.

Commonwealth by encouraging their peoples to work more closely together in a variety of practical ways. For this purpose they selected for further examination several fields of action in which they believed the practice of Commonwealth co-operation might be extended; and they agreed that these schemes should not be in substitution for existing arrangements but supplementary to them.

Commonwealth Development Projects

In particular they considered a proposal that development projects might be launched in individual Commonwealth countries, which would be implemented by various Members acting in close collaboration and contributing whatever resources—in men, money, materials and technical expertise—they could appropriately provide. Such projects, which would be additional to the support which Commonwealth countries already provide to the United Nations Special Fund and Expanded Programme of Technical Assistance could be directed to a number of different purposes—the improvement of agricultural production and the development of natural resources through extension services, training and research; the enlargement of professional and technical training; the development of new industries; and so forth. But they would all be inspired by the common purpose of promoting the development of the Commonwealth by a co-ordinated programme of joint or bilateral projects. The British Government said that they would be prepared to make a substantial contribution to projects of this kind within their expanding programme of development aid. The other Member governments expressed support for the objective of the proposal and agreed that further consideration should be given on the basis on which such a programme might be established.

Administrative Training

Development projects of this kind would need to be planned, carefully and thoroughly, at all stages in their execution; and the Prime Ministers therefore considered that it might be valuable to supplement the existing arrangements for promoting the study of the techniques of administration and development planning throughout the Commonwealth. They considered that there might be advantage in making arrangements, which could include the formation of a new Institute,

to provide facilities for specialised training and research for senior administrators concerned with administrative and development problems in relation to the needs of new countries. They agreed that further consideration should be given to the most appropriate form for arrangements for additional training, including the strengthening of existing institutions.

Education

The Prime Ministers took note of the scope which exists for co-operation between the Governments and peoples of the Commonwealth in social, as well as economic development. They noted with satisfaction that the Third Commonwealth Education Conference will be held in Ottawa in August ; and they expressed warm wishes for its success, together with appreciation of the British Government's offer to increase to an average of £5 million a year, over the five years starting in 1965–66, the capital assistance which they already provide for higher education in developing Commonwealth countries, both independent and dependent.

Medical Conference

They decided in principle that an initiative similar to that which was launched in the field of education by the first of the Commonwealth Education Conferences several years ago should now be taken in the field of medicine and that for this purpose consideration should be given to the convening of a Commonwealth Medical Conference during the course of 1965. Such a Conference would enable the members of the Commonwealth to discuss mutual assistance in medical education including links between institutions ; the provision of ancillary staffs, the development and planning of health services ; and the supply of medical equipment and facilities for research.

Commonwealth Parliamentary Association

The links between the countries of the Commonwealth are strengthened not only by co-operation between their Governments in initiatives of this kind but even more by frequent personal contacts between individuals who share common professional interests.

The Prime Ministers recorded their support for the valuable work which the Commonwealth Parliamentary Association performs in bringing together members of the Parliaments of all Commonwealth countries. The British Government stated that they would be prepared, if other Commonwealth Governments would do the same, to increase their contribution to the Association.

Commonwealth Foundation

The Prime Ministers considered that further steps should be taken to promote contacts in other fields and that it might be desirable to establish a Commonwealth Foundation to administer a fund for increasing interchanges between Commonwealth organisations in professional fields. This Foundation could be administered by an independent Board; and, while it could be financed by contributions from Commonwealth Governments, it would also welcome support from all quarters, whether public or private.

Satellite Communications

The Prime Ministers also took note of the current international discussions on the establishment of a global system of satellite communications. They endorsed the desirability of establishing such a system and considered how Commonwealth countries could best co-operate with each other and with other countries in its development. They discussed the provision of technical assistance to the developing countries in this field, particularly as regards the establishment of ground stations and inter-connections in Commonwealth countries. They agreed that further consideration should be given to the feasibility of such a plan and the basis on which it might best be implemented.

The Prime Ministers directed that the Commonwealth Liaison Committee with the assistance of special representatives should now give more detailed consideration to all aspects of these new initiatives in the hope that they could be launched and carried forward at an early date. They noted that thereafter further opportunities to review many of these projects would be afforded by the Third Commonwealth Education Conference in Ottawa in August and by the Commonwealth Economic Consultative Council meeting in Kuala Lumpur in September.

Commonwealth Secretariat

Finally, they were anxious that some permanent expression should be given to the desire, which had been evident through their deliberations, for closer and more informed understanding between their Governments on the many issues which engage their attention and for some continuing machinery for this purpose. They therefore instructed officials to consider the best basis for establishing a Commonwealth secretariat, which would be available *inter alia* to disseminate factual information to all Member countries on matters of common concern ; to assist existing agencies, both official and unofficial, in the promotion of Commonwealth links in all fields ; and to help to co-ordinate, in co-operation with the host country, the preparations for future Meetings of Commonwealth Heads of Government and, where appropriate, for meetings of other Commonwealth Ministers. This secretariat, being recruited from Member countries and financed by their contributions, would be at the service of all Commonwealth Governments and would be a visible symbol of the spirit of co-operation which animates the Commonwealth.

COMMUNIQUE of the International Conference to Establish Interim Arrangements for a Global Commercial Communications Satellite System.—Washington, 24th July, 1964

The International Conference on Interim Arrangements for a Global Commercial Communications Satellite System has successfully concluded the negotiation of two inter-related agreements for establishment of the System(1).

Representatives of Australia, Belgium, Canada, Denmark, the Federal Republic of Germany, France, Ireland, Italy, Japan, the Netherlands, Switzerland, the United Kingdom, the United States, and the Vatican City initialled the agreements *ad referendum* to their governments or designated authority.

The first agreement is intergovernmental in character and contains the organisational principles established for the international system. This agreement creates an international

(1) Text of the Agreements published in Treaty Series No. 12 (1966) (Cmnd. 2940).

Interim Communications Satellite Committee with over-all responsibility for the space segment of the System.

The other agreement, which deals with the commercial, financial, and technical operations of the System, will be entered into by the governments or the designated communications entities of each country.

The Communications Satellite Corporation, the designated entity of the United States, will serve as manager of the Global System on behalf of all participants in the international joint venture.

The agreements will be open for signature on 19 August, 1964, for six months, without discrimination, to any country which is a member of the International Telecommunication Union.

The meeting began on 21 July. It was the culmination of a number of conferences and talks during the past year with regard to the formation of a global commercial communications satellite system.

G. Griffith Johnson, United States Assistant Secretary of State for Economic Affairs, was elected and served as Chairman of the Conference. Ambassador Egidio Ortona, Director General for Economic Affairs of the Italian Ministry of Foreign Affairs and Chairman of the European Conference on Satellite Communications, was elected and served as Vice-Chairman.

To permit the simultaneous distribution of texts in the countries of the various participants, the full agreements will be made available on Tuesday, 28 July.

REPORT on the Conference of the Eighteen-Nation Committee on Disarmament.—Geneva, 21st January to 17th September, 1964

The States represented at the Sixth and Seventh Sessions of the Conference were: Brazil, Bulgaria, Burma, Canada, Czechoslovakia, Ethiopia, India, Italy, Mexico, Nigeria, Poland, Rumania, Sweden, the Union of Soviet Socialist Republics, the United Arab Republic, the United Kingdom and the United States of America. France was not represented.

SIXTH SESSION, 21ST JANUARY TO 28TH APRIL, 1964(1)

At the opening of the Conference on 21st January the United States representative tabled a message from President Johnson (Document No. 1) outlining a five-point plan of collateral and partial measures. These measures were: to prohibit the threat or use of force for the settlement of territorial disputes; a verified freeze of the number and characteristics of strategic nuclear offensive and defensive vehicles; to halt the production of fissionable material for weapons use, and, as a step in this direction, to shut down production facilities on a plant by plant basis with mutual inspection; to create a system of observation posts; and to ban the spread of nuclear weapons and the conduct of nuclear weapons tests, while applying safeguards to the transfers of nuclear materials for peaceful purposes and to the operation of peaceful nuclear facilities in the territories of major nuclear Powers.

At the same meeting the Minister of State for Foreign Affairs, Mr. Peter Thomas, pledged the readiness of the United Kingdom to explore President Johnson's proposals, and recommended the consideration of key issues by working groups (Speech No. 1).

The Soviet representative replied to President Johnson's message on 28th January with a nine-point plan (Document No. 2) containing measures which in the Russian's view presented the greatest likelihood of early agreement. These were: the evacuation of all foreign troops, a decrease in overall force levels, a cut in military budgets, a non-aggression pact between the North Atlantic Treaty Organisation and the Warsaw Treaty countries, the establishment of nuclear-free zones, an agreement to prevent the dissemination of nuclear weapons, a system of observation posts linked with the reduction of forces and the denuclearisation of Central Europe, the elimination of bomber aircraft, and prohibition of underground nuclear tests.

On 25th February the Secretary of State for Foreign Affairs, Mr. Butler, addressed the Conference (Speech No. 2). His speech set out the principles underlying British disarmament policy and put forward specific proposals for advancing the progress of the Conference. He listed six cardinal points on which the Conference should try to reach agreement in order to make practical progress; an agreement on observation posts in the N.A.T.O.

(1) *Miscellaneous* No. 20 (1964) (Cmnd. 2486).

and Warsaw Pact areas, a comprehensive nuclear test ban treaty, a non-dissemination agreement, the increased use of nuclear energy for peaceful purposes, a freeze of strategic nuclear delivery vehicles, and the early physical destruction of some armaments. He also outlined three further proposals as worthy of particular attention and study: an improved procedure for the Disarmament Conference, making use of informal working groups, a new approach to verification and proposals for international peacekeeping.

On 20th April announcements were made by the Governments of the U.S.S.R. (Document No. 3), the United States of America (Document No. 4) and, on 21st April, the United Kingdom (Document No. 5), on the reduction of planned production of fissile material for weapons purposes. These announcements were welcomed by the delegates as a further measure of East-West accord.

Negotiations for a Treaty on General and Complete Disarmament

Discussion centred on Items 5 (*b*) and (*c*) of the Procedure of Work agreed on 24th July, 1962[2] namely, the reduction of nuclear delivery vehicles and conventional armaments.

On 4th February, 1964, the Soviet Union tabled certain additions and amendments (Document No. 6) to the Soviet draft treaty on general and complete disarmament[3], to take acount of the proposal put forward at the United Nations General Assembly on 21st September, 1963, by Mr. Gromyko. This is commonly known as the Gromyko proposal[4] and provides for the retention on their respective territories by the Soviet Union and the United States of an agreed number of intercontinental missiles, ground-to-air missiles and anti-missile missiles until the end of stage III.

This topic occupied the main part of the debates of the Committee on general and complete disarmament and a useful dialogue began to emerge. The Soviet delegate (Speech No. 3) and representatives of Eastern European countries argued that this proposal was a considerable concession to the Western point of view. They pointed out that the Western delegates had

(2) *Miscellaneous* No. 32 (1962) (Cmnd. 1857), Document No. 3.
(3) Vol. 166, pages 775 and 1007.
(4) *Miscellaneous* No. 5 (1963) (Cmnd. 1958), Speech No. 2.

considered that the earlier proposal of Mr. Gromyko (that a limited number of missiles should be retained until the end of stage II) did not go far enough: the Soviet Government was therefore prepared to extend the principle of the "nuclear umbrella" until the end of the third stage of disarmament. The Soviet representative however insisted that agreement in principle must be reached before any further details could be discussed (the "principle" seemed to involve reduction to a minimum number of missiles on either side during stage I).

The approach of the United Kingdom representative to this subject was to treat it as constructively as possible by defining areas of agreement (Speech No. 4). There was already agreement in principle on fundamental points of the nuclear balance, namely that it should be stable during the process of disarmament, and that peace and security should be maintained by the retention of the nuclear deterrent until effective international peace-keeping machinery was introduced. The United Kingdom also welcomed the willingness of the Soviet Union to allow verification of the retained missiles. However, many difficulties still attended the Soviet proposal. No indication of the size of the nuclear deterrent or the number of nuclear delivery vehicles had been given by the Soviet Government. It was not clear why seaborne missiles, which would contribute to stability by their invulnerability, were omitted, or why anti-missile missiles, which might have a destabilising effect, were retained (Speech No. 5). The early destruction of so many nuclear delivery vehicles would lead to the overloading of stage I of the disarmament process, to serious difficulties of verification and to the danger of upsetting the military balance (Speech No. 6). The verification measures proposed for the retained missiles were unclear in scope and purpose (Speech No. 7). Finally, it would be necessary to establish an effective international peace-keeping force before national nuclear deterrents could be abandoned (Speech No. 4), a point on which the Soviet plan was vague. The United States representative stressed particularly the importance of effective verification which the Soviet Government did not seem ready to concede, and the serious imbalance which could result from the proposal (Speech No. 8).

For his part, the Soviet delegate maintained his position that seaborne missiles should be excluded from the "umbrella"

and anti-missile missiles included (Speech Extracts 9, 10, 11), and gave his views on the method of control of the retained missiles (Speech Extracts 10 and 11).

On April 24 the Indian representative, Mr. Trivedi, said that his Government viewed with favour the principle of the "nuclear umbrella" and he proposed that it should be accepted in order to allow progress to be made on the details of the reduction of nuclear delivery vehicles (Speech No. 12). This was interpreted by the Soviet delegation as support for the Gromyko proposal.

Negotiations on Partial and Collateral Measures

During the session no agreement was reached between the Co-Chairman for an agenda on collateral measures for the Thursday meetings and it was left open for each side to discuss the measures it favoured. This failure to agree was the subject of some criticism by representatives of the non-aligned countries, but talk of an "impasse" was generally deprecated. In practice the procedure followed gave the Committee a certain flexibility in dealing with collateral measures and allowed the exposition of new proposals and developments as desired.

The United States representative Mr. Foster began on February 6 with an explanation of measures proposed by his Government to contain the spread and development of nuclear weapon production (Speech No. 13).

On March 26 the Minister of State for Foreign Affairs, Mr. Thomas, tabled a United Kingdom paper on observation posts (Document No. 8; Speech No. 14). This reaffirmed the intrinsic value of such a system, which would give both sides reassurance about the capabilities and deployment of the other, without upsetting the military balance. The British paper was put forward as a basis for discussion on the modalities of such a system, and immediate agreement in principle was not sought. The Soviet delegate, Mr. Tsarapkin, condemned the paper as proposing control without disarmament, and stated his country's view that a system of observation posts was only one component of a series of linked measures to reduce tension such as the reduction of forces and denuclearisation in Central Europe. It could not therefore be considered in isolation (Speeches Nos. 15 and 16).

Also on March 26 the Canadian Minister of Economic Affairs, Mr. Martin, spoke to the Conference, outlining his views on the collateral measures to which priority attention should be given (Speech No. 17).

On April 16 the United States' proposal for a freeze of nuclear delivery vehicles (Document No. 1), earlier outlined in President Johnson's message to the Conference, was elaborated by the United States representative, Mr. Fisher (Speech No. 18). He answered Soviet criticism by pointing to the practical results of the freeze in halting nuclear rivalry and reducing military expenditure. The Soviet representative, however, claimed that this was not a measure of disarmament, since it would not lead to the destruction of missiles or to the cessation of production (Speech No. 19).

The United States delegate, supported by other Western delegations, also pressed the United States proposal for the mutual destruction of certain bombers by either side (Speech No. 20). The Soviet version, which was first included in the Soviet nine-point plan presented to the Conference at the beginning of the session (Document No. 2), apparently called for the destruction of all bombers on a world-wide basis. The Soviet Union subsequently suggested that a start might be made with the larger Powers which had the strongest armoury. The Soviet delegate opposed the United States' destruction proposal on the grounds that it would only allow the United States of America to intensify the arms race by the production of new weapons (Speech No. 21).

The Western delegates also argued strongly in favour of a non-dissemination agreement as the logical step to follow the Partial Test Ban Treaty(5), but the Communist *bloc* delegates continued to maintain that the proposed multilateral force (MLF) was incompatible with any such agreement.

During these meetings, the Soviet representative for the most part concentrated on the Soviet proposal for a reduction of military budgets by 10 or 15 per cent. (Speech No. 22). This followed the unilateral announcements by the United States and Soviet Governments made shortly before the Conference reconvened of a reduction in their estimated military expenditure. The United Kingdom was therefore subjected to some

(5) Page 178.

criticism by the Communist *bloc* representative as a result of the increase in the 1964–65 defence budget.

On February 17 the Brazilian representative, Senhor de Castro, tabled a draft resolution (Document No. 7) recommending that military expenditure should be reduced and that a fixed percentage of such savings should be credited to a fund for aid to under-developed countries. The Western delegates, in reply to this and to the similar Soviet proposal, pointed out among other difficulties, those of comparing the military expenditure of different countries, and those of verification. They argued that this was a suitable subject for technical study by experts (Speech No. 23).

Among suggestions by non-aligned delegates for increasing the acceptability of some of these measures by linking two or more together, the representative of Burma (Speech No. 24) suggested complementing the freeze of strategic nuclear vehicles with a verified reduction of military budgets and a meaningful destruction of bombers and missiles.

The representatives of the United Arab Republic put forward the idea that the freeze of strategic nuclear vehicles might be applied to the equipment of the proposed multilateral force (MLF), and that if this were done, it should remove Soviet objections to an agreement on non-dissemination (Speech No. 25). He also suggested, as did other delegates, that a combination of the United States and Soviet proposals for bomber destruction might be worked out in terms of a phased programme, with the United States proposal forming the first stage, but with the eventual cessation of production and destruction of all bombers as the final aim.

In a comprehensive speech on the last day of the Conference, the representative of Nigeria, Mr. Obi, spoke in reappraisal of the work of the Committee (Speech No. 26). He repeated the proposals for linking the United States and Soviet proposals for bomber destruction, and the United States freeze of nuclear delivery vehicles with the reduction of military budgets. Other delegates regretted the failure of the Committee to get down to detailed study of disarmament problems. The Minister of State made this point in his concluding speech of the session and stressed the value of the " step by step " approach (Speech No. 27).

Some references were made in the Conference to the Polish Government's memorandum setting out proposals for a freeze of nuclear warheads in Central Europe, but it was not laid before the Conference and an exchange of views on the subject was pursued through diplomatic channels.

On March 24 the Brazilian Foreign Minister suggested the extension of the Partial Test Ban Treaty to underground events above a certain threshold (Speech No. 28). Other delegates suggested the expert examination of this possibility.

The Eighteen-Nation Disarmament Committee went into recess with the avowed purpose of further study and review of the measures before it before the next session.

SEVENTH SESSION, JUNE 9 TO SEPTEMBER 17, 1964(6)

The Committee adopted a recommendation of the Co-Chairmen that it should begin by devoting its meetings on general and complete disarmament to a discussion of Items 5(*b*) and 5(*c*) of the procedure of work adopted by the Conference on July 24, 1962(2) namely the reduction of nuclear delivery vehicles and conventional armaments. In fact, discussion throughout the session centred on the first of these two items.

Agreement was reached on an agenda for the meetings on collateral measures, providing for discussion of items chosen alternately by each of the Co-Chairmen, and an agreed item (prevention of the further dissemination of nuclear weapons), although all delegations retained the right to raise other subjects for discussion at these meetings.

At the 193rd meeting on June 25 the United States submitted to the Conference a working paper on inspection of a cut-off of production of fissile material for use in nuclear weapons (Document No. 1).

At the 199th meeting on July 16, the Secretary-General of the United Nations, U Thant, addressed the Conference, stressing his support for the work of the Eighteen-Nation Disarmament Committee.

At the 215th meeting on August 6, the Union of Soviet Socialist Republics, the United States of America and the United Kingdom submitted a joint statement by their Govern-

(6) *Miscellaneous* No. 8 (1965) (Cmnd. 2595).

ments on the first anniversary of the signing of the nuclear Test Ban Treaty (Document No. 2).

On September 14 the delegations of Brazil, Burma, Ethiopia, India, Mexico, Nigeria, Sweden, and the United Arab Republic submitted a Joint Memorandum on the question of a treaty banning all nuclear weapon tests (Document No. 3).

General and Complete Disarmament

At the 188th meeting on June 9 the representative of the Soviet Union, Mr. Zorin, expressed the willingness of his delegation to participate in a working group on the reduction and elimination of nuclear delivery vehicles (Speech No. 1). Initially, the Committee was encouraged by Mr. Zorin's suggestion for the setting up of such a working group, which had been urged in previous sessions by a number of Western and non-aligned delegations.

The United Kingdom Delegation expressed its belief that there was already a sufficient measure of agreement on the question of the reduction of nuclear delivery vehicles to justify the establishment of a working group (Speech No. 2) and the United States representative, Mr. Foster, gave his view of the questions to be discussed in such a group (Speech No. 3).

The Soviet Delegation, however, resisted suggestions that Western proposals for the reduction of nuclear delivery vehicles be discussed in the group. Mr. Zorin explained the unacceptability of these proposals for the Soviet Union (Speech No. 4), claiming that the working group should discuss only the concept of a "nuclear umbrella" (Speech No. 5) to be retained until the end of the disarmament process by the United States and Soviet Union. He also explained the conditions which the Soviet Delegation set on the establishment of a working group (Speech No. 6), which it soon became clear involved prior acceptance in principle of the concept of a nuclear umbrella as defined by the Soviet Union in the proposal put forward by Mr. Gromyko at the Eighteenth Session of the United Nations General Assembly. This was also implicit in the two principles laid down by Mr. Tsarapkin (Speech No. 7) when he replaced Mr. Zorin as the Soviet delegate. The United States put forward an alternative formula (Speech

No. 8), but the Soviet Delegation refused to accept consideration in the working group of any possible solutions to the problem of reducing and eliminating nuclear delivery vehicles other than the Soviet "nuclear umbrella" concept. Against this Western representatives urged that all relevant proposals should be considered, and pointed out that they sought neither acceptance of their own proposals as a prior condition, nor exclusion of the Gromyko Proposal from the terms of reference of the working group (Speech No. 9).

Several non-aligned delegations made compromise proposals for the terms of reference of the working group. At the 192nd meeting on June 23 and the 198th meeting on July 14 the Nigerian representative, Mr. Obi, put forward a suggested formula for the definition of the nuclear umbrella (Document No. 4). This was welcomed by Western and non-aligned delegations as a contribution to the solution of the preconditions imposed by the Soviet Union, but the Soviet Delegation declined to accept the formula.

At the 194th and 212th meeting on June 30 and September 1 respectively, the Indian representative, Mr. Nehru, also offered suggestions for the terms of reference of the working group (Speech Nos. 10 and 11), as did the United Arab Republic delegate, Mr. Hassan, at the 198th meeting on July 14 (Speech No. 12).

At the 202nd meeting, the representative of Sweden, Mrs. Myrdal, suggested that the problem of the "nuclear shield", as she preferred to call it, be resolved by concentrating on what would be the ideal in stage III, and working backwards from there (Speech No. 13). Although this new approach appeared to offer some hope for agreement, the Soviet Delegation rejected the suggestion at the 204th meeting on August 4 (Speech No. 14). Meanwhile, the Italian and Canadian delegates suggested that, in view of the difficulty encountered by the Committee in agreeing upon terms of reference for a working group, it turn to topics of discussion which might offer more hope of progress, since a number of subjects in the agreed procedure of work had not yet been touched upon.

The Soviet representative, Mr. Tsarapkin, however, spoke at the 204th meeting on August 4 in favour of continuing the attempts to agree on terms of reference for a working

group (Speech No. 15). He praised the efforts of the non-aligned countries to find some solution, but argued that the Soviet nuclear umbrella proposal was a compromise, and should therefore be accepted as the only basis for the working group.

Speaking at the 210th meeting on August 25th, the British Minister of State, Mr. Thomas, drew attention again to the reasons why the West had objections to the Gromyko Proposal and could not accept it as the sole basis for the deliberations of the working group (Speech No. 16). As it stood, it appeared to call for drastic reductions of nuclear delivery vehicles in a very short space of time without adequate verification provisions, and failed to ensure that balance and security were maintained during the disarmament process.

Further efforts to find a solution to allow the establishment of a working group proved unsuccessful, and the Conference adjourned without having achieved any progress on the subject. This protracted debate, however, provided a useful opportunity to clarify and elaborate thinking on both sides and among the non-aligned delegations on the whole concept of nuclear deterrence. In a winding up speech at the 216th meeting on September 15, the United Kingdom representative, Sir Harold Beeley, reviewed the work of the Conference at its Seventh Session, regretting that the positions of the two sides on a working group had proved irreconcilable, and refuted Soviet arguments in support of their position (Speech No. 17).

Collateral Measures

Of the subjects raised in accordance with the agreed division of time between the proposals of the two sides, the common item of the prevention of the further dissemination of nuclear weapons was fully considered. From the beginning, there was clear Soviet insistence that the proposed NATO multilateral nuclear force (M.L.F.) was incompatible in their view with a non-dissemination agreement. Nevertheless, at the 195th meeting on July 2 the Soviet representative, Mr. Zorin, while arguing that the M.L.F. was contrary to the letter and spirit of the Irish resolution on non-dissemination (unanimously adopted at the Sixteenth Session of the United Nations General Assembly), appeared to hint that the Soviet Union might be prepared to consider a non-dissemination agreement if, as the

Western delegations maintained, the M.L.F. could in fact conform with this measure (Speech No. 18).

Although the Western delegations repeated their assurances that, whatever decisions were eventually taken in regard to the M.L.F., there would be no question of these involving the dissemination of nuclear weapons (Speech No. 19), the Soviet attitude hardened and by the middle of the session the Soviet delegate, Mr. Tsarapkin, had started regular and increasing attacks on the M.L.F., claiming that it would give the Federal Republic of Germany access to nuclear weapons and was therefore incompatible with a non-dissemination agreement (Speech No. 20). At the 215th meeting on September 10, the United States representative, Mr. Foster, explained the safeguards which were envisaged in the proposed M.L.F. to prevent the dissemination of nuclear weapons control (Speech No. 21). Among the non-aligned delegations, the representatives of India and the United Arab Republic offered suggestions for overcoming the deadlock on this question (Speech Nos. 22 and 23), but no further progress was made. A Soviet note on July 11 to the United States Government condemning the M.L.F. was circulated to the Conference on July 15 (Document No. 5), and the United States reply of August 28 was circulated at the Conference on September 10 (Document No. 6).

The main American suggestion for a collateral measure was still the proposal for a freeze on the number, types and characteristics of strategic offensive and defensive nuclear vehicles. Soviet criticism centred on the fact that this measure did not constitute disarmament, and that verification without disarmament was unacceptable. The United States delegate at the 211th meeting on August 27 gave full details of the verification measures proposed for the freeze (Speech No. 24) which were designed to be of minimum intrusiveness. They were, however, dismissed by the Soviet representative as merely the cover for the establishment of a system of international espionage (Speech No. 25).

The United States delegate, in a paper tabled at the 192nd meeting of June 25 (Document No. 1), also developed the proposal for a cutoff in the production of fissile material for use in nuclear weapons, to be attained either by a complete and immediate cutoff, or by a progressive cutback involving a gradual one-for-one shut down of reactors. Although the

verification proposals contained in this paper were carefully selected to minimise their intrusiveness, the Soviet Delegation claimed that this was also a measure amounting to control without disarmament (Speech No. 26). The United States representative replied to Soviet criticisms, but there was no progress on this question (Speech No. 27).

The United States proposal for a balanced destruction of B–47 and Tu–16 bombers over a period of two years (Speech No. 28) evoked no Russian interest. But neither did the Soviet Delegation follow up energetically their own proposal for the destruction of all bombers, though they gave some slight clarification of its features (Speech No. 29). Hopes for early agreement on some measure of physical destruction of weapons consequently receded.

In the field of collateral measures the Soviet Delegation also pursued their proposal for a ten to fifteen per cent. reduction in military budgets. Following some criticisms of the proposal by the non-aligned delegations, they suggested that the size of the reductions could be varied for large and small states (Speech No. 30). Since the reception of this measure was still cool—the United Kingdom representative explained some of the difficulties involved in it at the 193rd meeting on June 25 (Speech No. 31)—the Soviet Delegation later put greater emphasis on an alternative proposal that the Conference should make an appeal to all countries, starting with the Great Powers, to reduce their military budgets (Speech No. 32). No agreement was, however, reached on this suggestion.

The Committee also discussed the possibility of securing a comprehensive test ban agreement. The United Kingdom representative explained the position of the West (Speech No. 33), and the Soviet representative put forward his Government's position (Speech No. 34), at the 219th meeting on August 20. The proposal for a conference to draw up a convention banning the use of nuclear weapons was also discussed (Speech Nos. 35, 36 and 37). These two items were raised in accordance with the requirements of General Assembly Resolutions 1909 and 1910/XVIII.

On Soviet initiative there was in addition a day devoted to Soviet advocacy of a non-agression pact between the NATO and Warsaw Treaty Powers, and of the withdrawal of foreign troops from alien territories.

AGREEMENT amending the Agreement establishing the South Pacific Commission, as amended.—London, 6th October, 1964(1)

The Governments of Australia, the French Republic, New Zealand, the United Kingdom of Great Britain and Northern Ireland, and the United States of America ;

Desiring to provide for the accession of the Independent State of Western Samoa and the possible accession of other States to the Agreement establishing the South Pacific Commission, opened for signature at Canberra on 6th February, 1947(2), (hereinafter referred to as the Agreement) as amended by agreements signed at Noumea on 7th November, 1951(3), and Canberra on 5th April, 1954(4) ;

Considering that the Kingdom of the Netherlands has withdrawn from the Agreement pursuant to Article XIX, paragraph 62, thereof ;

Have agreed as follows :

ARTICLE I

The preamble to the Agreement is amended by deleting therefrom the words " the Kingdom of the Netherlands ".

ARTICLE II

Article II, paragraph 2, of the Agreement is amended to read as follows:

" 2. The territorial scope of the Commission shall comprise:

(*a*) all those territories in the Pacific Ocean which are administered by the participating Governments and which lie wholly or in part south of the Equator and east from and including the Australian territory of Papua and the Trust Territory of New Guinea ; and Guam and the Trust Territory of the Pacific Islands ; and

(*b*) all the territory of any State, the Government of which accedes to this Agreement pursuant to the provisions of Article XXI, paragraph 66."

(1) Treaty Series No. 87 (1965) (Cmnd. 2814).
(2) Vol. 148, page 287.
(3) Vol. 158, page 568.
(4) Vol. 161, page 335.

ARTICLE III

The first sentence of Article III, paragraph 4, of the Agreement is deleted.

ARTICLE IV

The first sentence of Article IV, paragraph 6, of the Agreement is deleted and the following sentence is substituted in lieu thereof:

"The Commission shall be a consultative and advisory body to the participating Governments in matters affecting the economic and social development of the territories within the scope of the Commission and the welfare and advancement of their peoples."

ARTICLE V

Article V, paragraph 14, of the Agreement is deleted and the following provisions are substituted in lieu thereof:

"14. The decisions of the Commission shall be taken in accordance with the following rules:

(*a*) each of the participating Governments shall have the number of votes set out below. Each participating Government shall transfer one of its votes to the Government of each territory which shall cease to be administered by it and shall be admitted to the Commission as a participating Government.

Australia (in respect of itself and its territories)	5 votes
The French Republic (in respect of itself and its territories)	4 votes
New Zealand (in respect of itself and its territories)	4 votes
The United Kingdom (in respect of itself and its territories)	4 votes
The United States (in respect of itself and its territories)	4 votes
Western Samoa (if it accedes to this Agreement).	1 vote

The number of votes assigned to each of the participating Governments and the total number of votes may be altered by the unanimous agreement of the participating Governments;

(*b*) only senior Commissioners shall be entitled to cast the votes referred to in sub-paragraph (*a*) of this paragraph;

(*c*) procedural matters shall be decided by a majority of votes cast ;

(*d*) decisions on budgetary or financial matters which may involve a financial contribution by the participating Governments (other than a decision to adopt the annual administrative budget of the Commission) shall require the concurring votes of all the senior Commissioners ;

(*e*) decisions on all other matters (including a decision to adopt the annual administrative budget of the Commission) shall be taken by two-thirds of all the votes referred to in sub-paragraph (*a*) of this paragraph."

ARTICLE VI

Article XIV, paragraph 49, of the Agreement is deleted and the following provision is substituted in lieu thereof:

" 49. The expenses of the Commission and its related bodies shall be apportioned among the participating Governments in such manner as the participating Government may unanimously determine."

ARTICLE VII

Article XXI of the Agreement is amended as follows :

(*a*) The words " the Kingdom of the Netherlands " are deleted from paragraph 65 ;

(*b*) A new paragraph 66 is inserted to read as follows:

" 66. The Government of the Independent State of Western Samoa and the Government of any independent State all the territory of which is, immediately prior to independence, within the territorial scope of the Commission as defined in Article II may accede to this Agreement, if it is invited to do so by all the participating Governments, by depositing an instrument of accession with the Government of Australia. This Agreement shall enter into force for each acceding Government upon the date of the deposit of its instrument of accession. Such Government shall thereupon be deemed a participating Government for the purposes of this Agreement other than those specified in Article XIX, paragraph 62. The Government of Australia shall notify the participating Governments of the date of deposit of each instrument of accession to this Agreement." ;

(*c*) Existing paragraphs 66 and 67 are re-designated as 67 and 68 respectively.

ARTICLE VIII

Only the English and French texts of the Agreement and of the agreements amending it shall be regarded as authentic.

ARTICLE IX

The Governments of Australia, the French Republic, New Zealand, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall become parties to this Agreement by (*a*) signature without reservation, or (*b*) signature *ad referendum* and subsequent acceptance. Acceptance shall be notified to the Government of Australia. This Agreement shall enter into force when all the above-mentioned Governments have become parties to it(5).

In witness whereof the undersigned, being duly authorised by the respective Governments, have signed this Agreement.

Done at London this 6th day of October, 1964, in the English and French languages, each equally authentic, the original of which shall be deposited in the archives of the Government of Australia. The Government of Australia shall transmit certified copies thereof to all other signatory Governments and to the Government of Western Samoa.

For the Government of Australia:

E. J. HARRISON

For the Government of the French Republic:

ad referendum(6)

G. DE COURCEL

For the Government of New Zealand:

T. L. MACDONALD

For the Government of the United Kingdom of Great Britain and Northern Ireland:

R. A. BUTLER

For the Government of the United States of America:

DAVID K. E. BRUCE

(5) The Agreement entered into force 15 July, 1965.
(6) Acceptance deposited 15 July, 1965.

COMMUNIQUE of the Ministerial Meeting of the EFTA and Finland–EFTA Councils.—Geneva, 20th November, 1964

The EFTA Council and the Joint Finland–EFTA Council held meetings at Ministerial level in Geneva on 19th and 20th November, 1964. The Right Honourable Douglas Jay, M.P., President of the Board of Trade (United Kingdom), was in the Chair.

Ministers considered the report of the working party which had been studying the recent British economic measures and their implications for EFTA.

The other Ministers pointed out to the British Ministers that the application of the 15 per cent charge on imports into the United Kingdom was inconsistent with the United Kingdom's obligations under the Convention(1) and the Association Agreement(2). It was generally urged on British Ministers that a firm date in a few months' time should be fixed for removing or reducing the charge. It was also urged that the charge should be reduced to 10 per cent in a matter of weeks ; that imports should be exempted from the charge in all cases where there was *bona fide* evidence that contracts were concluded before 27th October, 1964, and that the charge should not be applied to goods subject to quantitative restrictions (import quotas or others) in the United Kingdom.

British Ministers, while not claiming that the charge came within the terms of the Convention and the Association Agreement, pointed out that Article 19 provided for the use of quantitative restrictions on imports to correct a serious balance of payments deficit. Although such measures would have brought the United Kingdom within the terms of the Stockholm Convention, they would, in the British view, have been more damaging to EFTA and to the development of EFTA trade in the United Kingdom market. British Ministers affirmed that the charge was a temporary measure and that the British Government was firmly resolved in the interests of the United Kingdom, as well as of their EFTA partners, to reduce it and to abolish it at the earliest possible moment.

(1) Vol. 164, page 411.
(2) Treaty Series No. 105 (1961) (Cmnd. 1547).

They explained that it was not possible to fix precise dates for reducing and eliminating the charge but it was intended that this process would begin in a matter of months.

As regards contracts, British Ministers drew attention to the fact that in response to the representations made by a number of EFTA Governments, provision had been included in the Finance Bill to relieve exporters who, under the terms of pre-existing contracts, would have to bear the charge. Other Ministers requested the United Kingdom Government to undertake bilateral negotiations with EFTA countries about any losses forced upon individual firms which have concluded contracts relying on the EFTA Convention.

The Council of Ministers agreed to keep the situation under close and continuous review. They instructed the working party, which had examined the British economic situation, to reconvene in December with a view to preparing a new report on the recent developments and the steps planned by the British Government to restore the equilibrium of the balance of payments. It was understood that the legal rights of all Parties to the Agreement remained unprejudiced.

The Ministerial Council decided to review the situation at its next meeting in February 1965.

Furthermore, in order to provide better means for giving effect in future to the consultations provided for in Article 30 of the Convention, Ministers decided to set up an Economic Committee of senior officials from capitals to meet as frequently as necessary.

The development of EFTA trade in agriculture was fully discussed by the Ministers. The First Annual Review of this trade had been most useful. The Ministers underlined the need for intra-EFTA co-operation in this sector ; the Annual Review procedure will itself assist intensified efforts to expand intra-EFTA trade in agricultural goods. In the meantime, two problems called for special attention: that of the surplus of certain products in some Member countries ; and that created in EFTA markets by dumped or subsidised supplies of agricultural products from third countries.

On the Kennedy Round of tariff negotiations, the Ministers welcomed the fact that all the main parties to the negotiations had met the GATT deadline for the tabling of " exceptions

lists " to the general linear cut in industrial tariffs. In accordance with their stated policies from the inception of the idea of the Kennedy Round, the EFTA countries had either abstained from making any exceptions or had kept their lists to a bare minimum and thus confirmed their intention to make the Kennedy Round a success. They noted, however, that the exceptions lists tabled by some other parties to the negotiations created great problems for some EFTA countries.

The EFTA Council reviewed the present situation regarding European integration. The British Ministers reported on recent contacts which they had had with Member countries of the EEC at which there had been general recognition of the need to prevent any deepening of the gap between EEC and EFTA. The EFTA Ministers noted with interest recent suggestions for closer contact between EFTA and EEC and agreed that all such possibilities and proposals should be given full and careful attention. Other Ministers also reported on meetings with Members of the European Economic Community and the Commission.

Ministers approved the proposals for accommodation for EFTA and expressed their gratitude to the Swiss authorities for the sympathetic consideration they had shown for EFTA's needs.

The next meeting of the two Councils at Ministerial level will be held in February 1965.

COMMUNIQUE of the North Atlantic Council Ministerial Meeting.—Paris, 18th December, 1964

1. The North Atlantic Council met in Ministerial Session in Paris on 15th, 16th and 17th December, 1964.

2. The Ministers surveyed the whole field of East-West relations. The basic causes of tension still persist, and will persist as long as it remains the aim of the Communist countries to extend their system to the whole world. The Ministers noted that recent developments in China and the Soviet Union have increased the uncertainties with which the world is faced. They reiterated their conviction that it remained essential for the Alliance to maintain and strengthen its unity.

3. The Ministers also reviewed the situation in various areas in Asia, Africa and Latin America. They reaffirmed their interest in the stability of these areas and in the economic and social welfare of the peoples concerned.

4. In their discussions on the state and future progress of the Alliance, the Ministers emphasised the importance of strengthening and deepening their political consultation. Recognising the challenges that may face the organisation in the years ahead, they directed the Council in permanent session to study the state of the Alliance and the purposes and objectives commonly accepted by all members, and to keep the Ministers informed.

5. The Ministers reaffirmed their determination to continue their efforts to find a peaceful solution to the questions at issue between East and West. In particular, they continue to attach great importance to making progress towards meeting the legitimate aspirations of the German people to reunification on the basis of their right to self-determination. In regard to Berlin, the Ministers confirmed the terms of their declaration of 16th December, 1958(1).

6. The Ministers expressed their conviction that the unity and military preparedness of the Alliance had safeguarded peace and preserved the freedom of the West in the past. So long as general and complete disarmament under effective international control has not been achieved, any weakening of the Allied defensive posture would expose the Alliance to increased pressures. The Ministers therefore stressed the importance of maintaining the cohesion of the member states in the strategic as well as the political field. Only a military structure demonstrably capable of swift and vigorous reaction to any aggression can meet the threat. To maintain such a structure, involving as it does a continuous adaptation to changing requirements, necessitates a persistent effort to improve the readiness, state of training, and equipment of the forces of the Alliance. It further requires a sound economic basis for the defence effort and the most rational use of available resources.

7. The Ministers also confirmed their determination to continue their efforts to arrive at agreements in the field of disarmament. In this connection, they stressed the importance of avoiding the dissemination of nuclear weapons.

(1) Vol. 163, page 781, Document 7.

8. The Ministers examined the problems confronting the Alliance in the field of conventional and nuclear weapons. A thorough exchange of views on these problems took place and will be continued.

9. The Ministers took note of developments in the studies of the inter-related questions of strategy, force requirements and resources, initiated in pursuance of the decisions taken at their meeting in Ottawa in May, 1963(2). They reaffirmed the significance they attached to these studies and instructed the Council in permanent session to continue them with the assistance of the N.A.T.O. military authorities.

10. The Ministers also considered the special military and economic problems of Greece and Turkey. They reaffirmed the need for accelerating the economic development of these two Allied countries, and for an effort to strengthen the defence of the South-Eastern region of N.A.T.O. They instructed the Council in permanent session to continue to examine these questions urgently.

11. In the spirit of previous resolutions on defence aid to Greece in 1963 and 1964, the Ministers established a procedure aimed at contributing to the solution of the special defence problems of Greece and Turkey in 1965.

12. With regard to Greek-Turkish relations, the Ministers heard a report by the Secretary General on the "watching brief" conferred on his predecessor at The Hague in May, 1964(3). In an effort to improve these relations and in the interests of the solidarity of the Alliance, they agreed that this "watching brief" should continue. They reaffirmed their determination to lose no opportunity of contributing to a reduction in tension and a peaceful, agreed and equitable solution of the problem of Cyprus, confirming also their support for the efforts of the United Nations and the mediator.

13. The Ministers considered a report on civil emergency planning. They reaffirmed the importance of such planning within the context of overall defence, noting the progress which had been achieved and the work which remained to be done.

14. The next Meeting of the North Atlantic Council at the Ministerial level will be held on the invitation of the United Kingdom Government in London in May, 1965.

(2) *See* page 173.
(3) *See* page 540.

PROTOCOL to amend the International Carriage by Air Convention, 1929.—The Hague, 28th September, 1955(1)

RATIFICATIONS

Belgium	27th August, 1963
Brazil	16th June, 1964
Canada	8th April, 1964
Denmark	3rd May, 1963
Democratic Republic of Germany	19th May, 1959
Israel	5th August, 1964
Italy	4th May, 1963
Norway	3rd May, 1963
Portugal	16th September, 1963
Sweden	3rd May, 1963
Switzerland	19th October, 1962

ACCESSION

United Arab Republic (Syria)	2nd March, 1959

(1) Vol. 162, page 328.

COMMUNIQUE on the Meeting of the ANZUS Council.—Washington, 18th July, 1964

The ANZUS Council held its annual meeting in Washington on July 17 and 18, 1964. The Right Honourable Keith J. Holyoake, Prime Minister and Minister for External Affairs, represented New Zealand ; the Honourable Paul Hasluck, Minister for External Affairs, represented Australia ; and the Honourable Dean Rusk, Secretary of State, represented the United States.

The Council expressed satisfaction that the pattern of regular annual meetings has been restored. It agreed that these meetings not only provide opportunity for full, frank exchanges of views on problems of common interest but serve to emphasise the importance of this defensive alliance of three nations which share a common heritage, common institutions, common values, and common purposes.

The Council noted with grave concern the continuing threat to peace in South and South-East Asia and the Pacific region posed by the aggressive North Vietnamese and Communist Chinese régimes. It reaffirmed the determination expressed at its 1963 meeting(1) to cooperate with other countries equally determined to preserve their national independence by promoting the peace and security of the area.

The Council gave particular attention to the aggression against South Viet-Nam which the Communist régime in Hanoi organised and is directing, supplying and supporting in flagrant violation of the Geneva Accords of 1954 and 1962(2). It agreed that the defeat of this aggression is necessary not only to the security of Southeast Asia and the Southwest Pacific but as a demonstration that Communist expansion by such tactics will not be allowed to succeed. The Council noted with satisfaction that the members of ANZUS had increased their assistance to the Republic of Viet-Nam since the SEATO Council Meeting in April(3). It agreed that they should remain prepared, if necessary, to take further concrete steps within their respective capabilities to assure the defeat of this aggression. It expressed the hope that other nations who prize freedom will join in assisting the valiant people of South Viet-Nam to preserve their freedom. It affirmed its confidence that programmes of political and administrative reform, military action, pacification, and economic and social development instituted by the Government of the Republic of Viet-Nam, together with the continued backing of the Free World, will enable the people of South Viet-Nam to achieve the peace, stability and better life which presently are denied to them by the Communist aggressors.

The Council also devoted special attention to the threat to the security and stability of Laos brought about by Communist violations of the Geneva Agreements of 1962. It expressed its grave concern over the continued presence and intervention in Laos of North Vietnamese forces and over recent Pathet Lao attacks against Government forces. It called for full compliance with the provisions of the Geneva Agreements, including full support for Prime Minister Souvanna Phouma's demand that the Communist forces withdraw from the areas which they recently seized in violation of the Agreements.

(1) Page 219.
(2) Vol. 161, page 359, and Vol. 166, page 720.
(3) *See* page 532.

The Council reaffirmed its conviction that the South-East Asia Treaty Organisation, in which all three nations are also members and to which they renewed pledges of support at the recent Manila Council Meeting, continues to make an essential contribution to the peace and stability of the region.

The Council reaffirmed its continuing support for Malaysia. It noted that two of its members are now giving aid, both in forces and in material, to assist Malaysian defence. The Council recognised that in this region, as elsewhere, force must not be employed in violation of the territorial integrity of other nations. It expressed the hope that the independence of Malaysia would be respected and that peaceful relationships with neighbouring states would be restored so that all could contribute to the peace, security and advancement of South-East Asia and the South-West Pacific.

The Council noted with gratification the substantial economic and social progress of most of the free nations of the Western Pacific, whose continuing advance contrasts sharply with the economic failures of the Communist states. It applauded the increasing cooperation between the more developed and the less developed nations of the Western Pacific in promoting economic and social progress and political stability.

The Council reviewed the efforts being made to move toward a total ban on nuclear testing and toward general disarmament and expressed the resolve of the members of ANZUS to continue working individually and collectively toward these goals. It noted with regret that some governments have not yet signed the nuclear test ban treaty(4) negotiated last year.

Reaffirming the value to the members of the regular, high level exchange of views afforded by the meetings of the ANZUS Council, the Ministers stated their intention to meet again within approximately one year, at a place to be determined.

(4) Page 178.

DECLARATION of the Second Conference of Heads of State or Government of Non-Aligned Countries.—Cairo, 10th October, 1964[1]

(Excerpts)

The Second Conference of Heads of State or Government of the following non-aligned countries:

Afghanistan, Algeria, Angola, Burma, Burundi, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Cuba, Cyprus, Dahomey, Ethiopia, Ghana, Guinea, India, Indonesia, Iraq, Islamic Republic of Mauritania, Jordan, Kenya, Kuwait, Laos, Lebanon, Liberia, Libya, Malawi, Mali, Morocco, Nepal, Nigeria, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Syria, Togo, Tunisia, Uganda, United Arab Republic, United Republic of Tanganyika and Zanzibar, Yemen, Yugoslavia and Zambia was held in Cairo from 5 October to 10 October 1964.

The following countries: Argentine, Bolivia, Brazil, Chile, Finland, Jamaica, Mexico, Trinidad and Tobago, Uruguay and Venezuela were represented by observers.

The Secretary-General of the Organization of African Unity and the Secretary-General of the League of Arab States were present as observers.

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The Heads of State or Government have arrived in their deliberations at a common understanding of the various problems with which the world is now faced, and a common approach to them. Reaffirming the basic principles of the Declaration of Belgrade[2] they express their agreement upon the following points:

I. CONCERTED ACTION FOR THE LIBERATION OF THE COUNTRIES STILL DEPENDENT; ELIMINATION OF COLONIALISM, NEO-COLONIALISM AND IMPERIALISM

The Heads of State or Government of the Non-Aligned Countries declare that lasting world peace cannot be realised so long as unjust conditions prevail and peoples under foreign domination continue to be deprived of their fundamental right to freedom, independence and self-determination.

(1) U.N. document A/5763.
(2) Vol. 166, page 324.

Imperialism, colonialism and neo-colonialism constitute a basic source of international tension and conflict because they endanger world peace and security. The participants in the conference deplore that the Declaration of the United Nations on the granting of independence to colonial countries and peoples[3] has not been implemented everywhere and call for the unconditional, complete and final abolition of colonialism now.

At present a particular cause of concern is the military or other assistance extended to certain countries to enable them to perpetuate by force colonialist and neo-colonialist situations which are contrary to the spirit of the Charter of the United Nations[4].

The exploitation by colonialist forces of the difficulties and problems of recently liberated or developing countries, interference in the internal affairs of these States, and colonialist attempts to maintain unequal relationships, particularly in the economic field, constitute serious dangers to these young countries. Colonialism and neo-colonialism have many forms and manifestations.

Imperialism uses many devices to impose its will on independent nations. Economic pressure and domination, interference, racial discrimination, subversion, intervention and the threat of force are neo-colonialist devices against which the newly independent nations have to defend themselves. The Conference condemns all colonialist, neo-colonialist and imperialist policies applied in various parts of the world.

Deeply concerned at the rapidly deteriorating situation in the Congo, the participants:

(1) support all the efforts being made by the Organisation of African Unity to bring peace and harmony speedily to that country;

(2) urge the Ad Hoc Commission of the Organisation of African Unity to shirk no effort in the attempt to achieve national reconciliation in the Congo, and to eliminate the existing tension between that country and the Republic of Congo (Brazzaville) and the Kingdom of Burundi;

(3) Vol. 164, page 800.
(4) Vol. 145, page 805.

(3) appeal to the Congolese Government and to all combatants to cease hostilities immediately and to seek, with the help of the Organisation of African Unity, a solution permitting of national reconciliation and the restoration of order and peace ;

(4) urgently appeal to all foreign powers at present interfering in the internal affairs of the Democratic Republic of the Congo, particularly those engaged in military intervention in that country, to cease such interference, which infringes the interests and sovereignty of the Congolese people and constitutes a threat to neighbouring countries ;

(5) affirm their full support for the efforts being made to this end by the Organisation of African Unity's Ad Hoc Commission of good offices in the Congo ;

(6) call upon the Government of the Democratic Republic of the Congo to discontinue the recruitment of mercenaries immediately and to expel all mercenaries, of whatever origin who are already in the Congo, in order to facilitate an African solution.

The newly independent countries have, like all other countries, the right of sovereign disposal in regard to their natural resources, and the right to utilise these resources as they deem appropriate in the interest of their peoples, without outside interference.

The process of liberation is irresistable and irreversible. Colonized peoples may legitimately resort to arms to secure the full exercise of their right to self-determination and independence if the colonial powers persist in opposing their natural aspirations.

The participants in the Conference undertake to work unremittingly to eradicate all vestiges of colonialism, and to combine all their efforts to render all necessary aid and support, whether moral, political or material, to the peoples struggling against colonialism and neo-colonialism. The participating countries recognise the nationalist movements of the peoples which are struggling to free themselves from colonial domination as being authentic representatives of the colonial peoples, and urgently call upon the colonial powers to negotiate with their leaders.

Portugal continues to hold in bondage by repression, persecution and force, in Angola, Mozambique, so-called Portuguese Guinea and the other Portuguese colonies in Africa and Asia, millions of people who have been suffering far too long under the foreign yoke. The Conference declares its determination to ensure that the peoples of these territories accede immediately to independence without any conditions or reservations.

The Conference condemns the government of Portugal for its obstinate refusal to recognise the inalienable right of the peoples of those territories to self-determination and independence in accordance with the Charter of the United Nations and the Declaration on the granting of independence to colonial countries and peoples.

The Conference:

(1) urges the participating countries to afford all necessary material support—financial and military—to the Freedom Fighters in the territories under Portuguese colonial rule;

(2) takes the view that support should be given to the Revolutionary Government of Angola in exile and to the nationalist movements struggling for the independence of the Portuguese colonies and assistance to the Special Bureau set up by the O.A.U. in regard to the application of sanctions against Portugal;

(3) calls upon all participating States to break off diplomatic and consular relations with the government of Portugal and to take effective measures to suspend all trade and economic relations with Portugal;

(4) calls upon the participating countries to take all measures to compel Portugal to carry out the decisions of the General Assembly of the United Nations;

(5) Addresses an urgent appeal to the Powers which are extending military aid and assistance to Portugal to withdraw such aid and assistance.

The countries participating in the Conference condemn the policy of the racist minority regime in Southern Rhodesia, which continues to defy the Charter and the Resolutions of the United Nations in that it denies fundamental freedoms to the people by acts of repression and terror.

The participating countries urge all States not to recognise the independence of Southern Rhodesia if proclaimed under the rule of the racist minority, and instead to give favourable consideration to according recognition to an African nationalist government in exile, should such a government be set up. To this effect, the Conference states its opposition to the sham consultation through tribal chiefs envisaged by the present minority government of Southern Rhodesia.

The Conference deplores the British Government's failure to implement the various resolutions of the United Nations relating to Southern Rhodesia and calls upon the United Kingdom to convene immediately a Constitutional Conference, to which all political groups in Southern Rhodesia would be invited, for the purpose of preparing a new constitution based on the " one man, one vote " principle, instituting universal suffrage, and ensuring majority rule.

The Conference urges the Government of the United Kingdom to call for the immediate release of all political prisoners and detainees in Southern Rhodesia.

The Conference reaffirms the inalienable right of the people of South West Africa to self-determination and independence and condemns the Government of South Africa for its persistent refusal to co-operate with the United Nations in the implementation of the pertinent resolutions of the General Assembly.

It urges all States to refrain from supplying in any manner or form any arms or military equipment or petroleum products to South Africa, and to implement the Resolutions of the United Nations.

The Conference recommends that the United Nations should guarantee the territorial integrity of Swaziland, Basutoland and Bechuanaland and should take measures for their speedy accession to independence and for the subsequent safeguarding of their sovereignty.

The participants in the Conference call upon the French Government to take the necessary steps to enable French Somaliland to become free and independent in accordance with paragraph 5 of Resolution 1514 (XV)[5] of the United Nations.

(5) Vol. 164, page 800.

The Conference appeals to all participating countries to lend support and assistance to the Liberation Committee of the Organisation of African Unity.

The Conference condemns the imperialistic policy pursued in the Middle East and, in conformity with the Charter of the United Nations, decides to:

(1) endorse the full restoration of all the rights of the Arab people of Palestine to their homeland, and their inalienable right to self-determination ;

(2) declare their full support to the Arab people of Palestine in their struggle for liberation from colonialism and racism.

The Conference condemns the continued refusal of the United Kingdom Government to implement the United Nations Resolutions on Aden and the Protectorates, providing for the free exercise by the peoples of the territory of their right to self-determination and calling for the liquidation of the British military base in Aden and the withdrawal of British troops from the territory.

The Conference fully supports the struggle of the people of Aden and the Protectorates and urges the immediate implementation of the Resolutions of the United Nations which are based on the expressed wishes of the people of the territory.

The countries participating in the Conference condemn the continued armed action waged by British colonialism against the people of Oman who are fighting to attain their freedom. The Conference recommends that all necessary political, moral and material assistance be rendered to the liberation movements of these territories in their struggle against colonial rule.

The Conference condemns the manifestations of colonialism and neo-colonialism in Latin America and declares itself in favour of the implementation in that region of the right of peoples to self-determination and independence. Basing itself on this principle, the Conference deplores the delay in granting full independence to British Guiana and requests the United Kingdom to grant independence speedily to that country. It notes with regret that Martinique, Guadaloupe, and other Carribbean Islands are still not self-governing. It draws the attention of the ad hoc Decolonisation Commission of the United Nations to the case of Puerto Rico and calls upon that

commission to consider the situation of these territories in the light of Resolution 1514 (XV) of the United Nations.

II. RESPECT FOR THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND CONDEMNATION OF THE USE OF FORCE AGAINST THE EXERCISE OF THIS RIGHT

The Conference solemnly reaffirms the right of peoples to self-determination and to make their own destiny. It stresses that this right constitutes one of the essential principles of the United Nations Charter, that it was laid down also in the Charter of the Organisation of African Unity(6), and that the Conferences of Bandung(7) and Belgrade (8) demanded that it should be respected, and in particular insisted that it should be effectively exercised.

The Conference notes that this right is still violated or its exercise denied in many regions of the world and results in a continued increase of tension and the extension of the areas of war.

The Conference denounces the atitude of those Powers which oppose the exercise of the right of peoples to self-determination. It condemns the use of force, and all forms of intimidation, interference and intervention which are aimed at preventing the exercise of this right.

III. RACIAL DISCRIMINATION AND THE POLICY OF APARTHEID

The Heads of State or Government declare that racial discrimination—and particularly its most odious manifestation, *apartheid*—constitutes a violation of the Universal Declaration of Human Rights(9) and of the principle of the equality of peoples. Accordingly, all governments still persisting in the practice of racial discrimination should be completely ostracized until they have abandoned their unjust and inhuman policies. In particular the governments and peoples represented at this Conference have decided that they will not tolerate much longer the presence of the Republic of South Africa in the comity of Nations. The inhuman racial policies of South Africa constitute a threat to international peace and security. All countries interested in peace must therefore do everything in

(6) Page 225.
(7) *See* Vol. 162, page 359.
(8) *See* Vol. 166, page 324.
(9) Vol. 151, page 604.

their power to ensure that liberty and fundamental freedoms are secured to the people of South Africa.

The Heads of State or Government solemnly affirm their absolute respect for the right of ethnic or religious minorities to protection in particular against the crimes of genocide or any other violation of a fundamental human right.

Sanctions against the Republic of South Africa

(1) The Conference regrets to note that the Pretoria Government's obstinacy in defying the conscience of mankind has been strengthened by the refusal of its friends and allies, particularly some major powers, to implement United Nations resolutions concerning sanctions against South Africa.

(2) The Conference therefore:

(*a*) calls upon all States to boycott all South African goods and to refrain from exporting goods, especially arms, ammunition, oil and minerals to South Africa;

(*b*) calls upon all States which have not yet done so to break off diplomatic, consular and other relations with South Africa;

(*c*) requests the Governments represented at this conference to deny airport and overflying facilities to aircraft and port facilities to ships proceeding to and from South Africa, and to discontinue all road or railway traffic with that country;

(*d*) demands the release of all persons imprisoned, interned or subjected to other restrictions on account of their opposition to the policy of apartheid;

(*e*) invites all countries to give their support to the special bureau set up by the Organisation of African Unity for the application of sanctions against South Africa.

IV. PEACEFUL CO-EXISTENCE AND THE CODIFICATION OF ITS PRINCIPLES BY THE UNITED NATIONS

* * * * *

V. RESPECT FOR THE SOVEREIGNTY OF STATES AND THEIR TERRITORIAL INTEGRITY: PROBLEMS OF DIVIDED NATIONS

The Conference of Heads of State or Government proclaims its full adherence to the fundamental principle of international relations, in accordance with which the sovereignty and territorial integrity of all States, great and small, are inviolable and must be respected.

The countries participating in the Conference, having for the most part achieved their national independence after years of struggle, reaffirm their determination to oppose by every means in their power any attempt to compromise their sovereignty or violate their territorial integrity. They pledge themselves to respect frontiers as they existed when the States gained independence ; nevertheless, parts of territories taken away by occupying powers or converted into autonomous bases for their own benefit at the time of independence must be given back to the country concerned.

The Conference solemnly reaffirms the right of all peoples to adopt the form of government they consider best suited to their development.

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Concerned by the situation existing with regard to Cyprus, the Conference calls upon all states in conformity with their obligations under the Charter of the United Nations, and in particular under Article 2, paragraph 4, to respect the sovereignty, unity, independence and territorial integrity of Cyprus and to refrain from any threat or use of force or intervention directed against Cyprus and from any efforts to impose upon Cyprus unjust solutions unacceptable to the people of Cyprus.

Cyprus, as an equal member of the United Nations, is entitled to and should enjoy unrestricted and unfettered sovereignty and independence, and allowing its people to determine freely, and without any foreign intervention or interference, the political future of the country, in accordance with the Charter of the United Nations.

The Conference, considering that foreign pressure and intervention to impose changes in the political, economic and social system chosen by a country are contrary to the principles of international law and peaceful co-existence, requests the Government of the United States of America to lift the commercial and economic blockade applied against Cuba.

The Conference takes note of the readiness of the Cuban Government to settle its difference with the United States on an equal footing, and invites these two Governments to enter into negotiations to this end and in conformity with the principles of peaceful co-existence and international co-operation.

Taking into account the principles set forth above and with a view to restoring peace and stability in the Indo-China Peninsula, the Conference appeals to the Powers which participated in the Geneva Conference of 1954 and 1962:

(1) to abstain from any action likely to aggravate the situation which is already tense in the Peninsula ;

(2) to terminate all foreign interference in the internal affairs of the countries of that region ;

(3) to convene urgently a new Geneva Conference on Indo-China with a view to seeking a satisfactory political solution for the peaceful settlement of the problems arising in that part of the world, namely:

a) ensuring the strict application of the 1962 agreements on Laos[10] ;

b) recognizing and guaranteeing the neutrality and territorial integrity of Cambodia ;

c) ensuring the strict application of the 1954 Geneva Agreement on Vietnam[11], and finding a political solution to the problem in accordance with the legitimate aspirations of the Vietnamese people to freedom, peace and independence.

VI. SETTLEMENT OF DISPUTES WITHOUT THREAT OR USE OF FORCE IN ACCORDANCE WITH THE PRINCIPLES OF THE UNITED NATIONS CHARTER

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VII. GENERAL AND COMPLETE DISARMAMENT ; PEACEFUL USE OF ATOMIC ENERGY, PROHIBITION OF ALL NUCLEAR WEAPON TESTS, ESTABLISHMENT OF NUCLEAR-FREE ZONES, PREVENTION OF DISSEMINATION OF NUCLEAR WEAPONS AND ABOLITION OF ALL NUCLEAR WEAPONS.

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The Conference calls upon all States to accede to the Moscow treaty partially banning the testing of nuclear weapons[12], and to abide by its provisions in the interests of peace and the welfare of humanity. It urges the extension of the Moscow Treaty so as to include underground tests, and the discontinuance of such tests pending the extension of the agreement.

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(10) Vol. 166, page 720.
(11) Vol. 161, page 818.
(12) Page 178.

The Conference requests the Great Powers to abstain from all policies conducive to the dissemination of nuclear weapons and their by-products among those States which do not at present possess them. It underlines the great danger in the dissemination of nuclear weapons and urges all States, particularly those possessing nuclear weapons, to conclude non-dissemination agreements and to agree on measures providing for the gradual liquidation of the existing stock-piles of nuclear weapons.

As part of these efforts, the Heads of State or Government declare their own readiness not to produce, acquire or test any nuclear weapons, and call on all countries including those who have not subscribed to the Moscow treaty to enter into a similar undertaking and to take the necessary steps to prevent their territories, ports and airfields from being used by nuclear powers for the deployment or disposition of nuclear weapons. This undertaking should be the subject of a treaty to be concluded in an international Conference convened under the auspices of the United Nations and open to accession by all States. The Conference further calls upon all nuclear Powers to observe the spirit of this declaration.

The Conference welcomes the agreement of the Great Powers not to orbit in outer space nuclear or other weapons of mass destruction and expresses its conviction that it is necessary to conclude an international treaty prohibiting the utilisation of outer space for military purposes. The Conference urges full international co-operation in the peaceful uses of outer space, and . . . is of the view that for this purpose an international conference should be convened at an appropriate time.

The Conference considers that the declaration by African States regarding the denuclearisation of Africa([13]), the aspirations of the Latin American countries to denuclearise their continent and the various proposals pertaining to the denuclearisation of areas in Europe and Asia are steps in the right direction because they assist in consolidating international peace and security and lessening international tensions.

The Conference recommends the establishment of denuclearised zones covering these and other areas and the oceans of the world, particularly those which have been hitherto free from

([13]) *See* page 645.

nuclear weapons, in accordance with the desires expressed by the States and peoples concerned. It also requests the nuclear Powers to respect these denuclearised zones.

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VIII. MILITARY PACTS, FOREIGN TROOPS AND BASES

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Noting with concern that foreign military bases are in practice a means of bringing pressure on nations and retarding their emancipation and development, based on their own ideological, political, economic and cultural ideas, the Conference declares its full support to the countries which are seeking to secure the evacuation of foreign bases on their territory and calls upon all States maintaining troops and bases in other countries to remove them forthwith.

The Conference considers that the maintenance at Guantanamo (Cuba) of a military base of the United States of America, in defiance of the will of the Government and people of Cuba and in defiance of the provisions embodied in the Declaration of the Belgrade Conference(2), constitutes a violation of Cuba's sovereignty and territorial integrity.

Noting that the Cuban Government expresses its readiness to settle its dispute over the base of Guantanamo with the United States on an equal footing, the Conference urges the United States Government to negotiate the evacuation of this base with the Cuban Government.

The Conference condemns the expressed intention of imperialist powers to establish bases in the Indian Ocean, as a calculated attempt to intimidate the emerging countries of Africa and Asia and an unwarranted extension of the policy of neo-colonialism and imperialism.

The Conference also recommends the elimination of the foreign bases in Cyprus and the withdrawal of foreign troops from this country, except for those stationed there by virtue of United Nations resolutions.

IX. THE UNITED NATIONS: ITS ROLE IN INTERNATIONAL AFFAIRS, IMPLEMENTATION OF ITS RESOLUTIONS AND AMENDMENT OF ITS CHARTER

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The Conference notes with satisfaction that with Resolution 1991 (XVIII)[14], the General Assembly has taken the initial positive step towards transformation of the structure of the United Nations in keeping with its increased membership and the necessity to ensure a broader participation of States in the work of its Organs.

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. . . the Non-Aligned Countries should consult one another at the Foreign Minister or Head of Delegation level at each session of the United Nations.

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Recalling the recommendation of the Belgrade Conference the Conference asks the General Assembly of the United Nations to restore the rights of the People's Republic of China and to recognise the representatives of its Government as the only legitimate representatives of China in the United Nations.

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X. ECONOMIC DEVELOPMENT AND COOPERATION

The Heads of State or Government participating in this Conference,

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Recommend that the target of economic growth set for the development Decade by the United Nations should be revised upwards,

that the amount of capital transferred to developing countries and the terms and conditions governing the transfer should be extended and improved without political commitments, so as to reinforce the efforts of these countries to build self-reliant economies,

that a programme of action should be developed to increase the income in foreign exchange of developing countries and, in particular, to provide access for primary products from developing countries to the markets of industrialised countries, on an equitable basis and for manufactured goods from developing countries on a preferential basis,

(14) Page 398.

that the establishment of a Specialised Agency for industrial development should be expedited,

that members of regional economic groupings should do their utmost to ensure that economic integration helps to promote the increase of imports from the developing countries either individually or collectively.

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XI. CULTURAL, SCIENTIFIC AND EDUCATIONAL COOPERATION AND CONSOLIDATION OF THE INTERNATIONAL AND REGIONAL ORGANISATIONS WORKING FOR THIS PURPOSE

The Conference,

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Recommend that international co-operation in education should be promoted in order to secure a fair opportunity for education to every person in every part of the world, to extend educational assistance to develop mutual understanding and appreciation of the different cultures and ways of life through the proper teaching of civics, and to promote international understanding through the teaching of the principles of the United Nations at various levels of education ;

Propose that a free and more systematic exchange of scientific information be encouraged and intensified and, in particular, call on the advanced countries to share with developing countries their scientific knowledge and technical knowledge so that the advantages of scientific and technological advance can be applied to the promotion of economic development.

SPECIAL RESOLUTION

The Conference of Heads of State or Government of Non-Aligned countries meeting in Cairo from 5 to 10 October 1964 ;

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(1) *Express* their conviction that the establishment of the Organisation of African Unity is an important contribution to the strengthening of world peace, the triumph of the policy of non-alignment, and the fundamental values laid down by this policy.

(2) *Decide* to coordinate and concert their efforts with those of the Organisation of African Unity, with a view to safeguarding their joint interests in economic, social and cultural development and in international cooperation.

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REPORT on the situation in Cyprus and the setting up of a United Nations Peace-Keeping Force.—27th December, 1963 to 18th December, 1964[1]

A relative calm prevailed in Cyprus after the creation of the Republic in 1960. But political differences between the two main communities, concentrated mainly on some provisions of the Constitution[2] and of the Treaties of Guarantee and of Alliance[3], remained unsettled. The situation gradually deteriorated and disturbances and communal fighting erupted in December 1963.

On 27 December 1963 the Security Council met to consider a complaint by Cyprus against Turkey for acts of aggression and intervention in the internal affairs of Cyprus. After hearing statements by the representatives of Cyprus, Turkey and Greece, the Council adjourned, to be reconvened when and if it was considered appropriate by the members[4].

On 15 January 1964 a Conference was opened in London to consider the Cyprus question in which representatives of Cyprus, Greece, Turkey and the United Kingdom participated. The Conference did not produce agreement since the Cyprus Government insisted on a unitary independent state, with protection for the Turkish Cypriot community, whereas the Turkish Cypriot leaders requested the geographical separation of the two main communities. In response to a United Kingdom suggestion that its force in Cyprus should be replaced by military contingents from member countries of the North Atlantic Treaty Organisation and other countries, the Cyprus Government insisted that any peace-keeping force should come under the direct control of the United Nations and that the whole issue should be brought before the Security Council.

On 15 February a request was made by the United Kingdom and Cyprus for an urgent meeting of the Security Council to consider the situation in Cyprus. In a letter accompanying its request, the United Kingdom stressed the grave deterioration of the situation in Cyprus and asked the Council to take appropriate steps to ensure that the dangerous situation could be resolved with full regard to the rights and responsibilities of all

(1) *See* U.N. Year Book (1964), pages 150–163.
(2) *See* Cmnd. 1093, page 91.
(3) Vol. 164, pages 388 and 557.
(4) Security Council Meeting 1085; and S/5488 and S/5490–6.

parties concerned. The United Kingdom stressed the constitutional aspects of the problem and referred in particular to the London agreement of 19 February, 1959(5) establishing the basic structure for the Republic, including some principles in the Cyprus Constitution governing the relations between the Greek and Turkish Cypriot communities. It also referred to the Treaty of Guarantee of 16 August 1960(3), under which the Governments of the United Kingdom, Greece and Turkey had guaranteed the independence, territorial integrity and security of Cyprus and the basic provisions of the Constitution.

Discussions were held in the Security Council between 18 February and 4 March, and led to the adoption on 4 March of a Resolution setting up a United Nations Peace-keeping Force in Cyprus for a period of three months and providing for the appointment of a mediator to seek a peaceful solution and an agreed settlement of the Cyprus problem(6).

On 13 March 1964 the representative of Turkey informed the Secretary-General that, on 12 March, his Government had sent a note to Archbishop Makarios in a last attempt to stop the massacre of the Turkish Cypriots, failing which Turkey had decided, under the Treaty of Guarantee, to take appropriate action. Also on 13 March, the Secretary-General appealed to the Turkish Government to refrain from any action which would worsen the already tragic situation in Cyprus.

On the same day, the representative of Cyprus requested an immediate emergency meeting of the Council, stating that there was a clear threat of imminent invasion of Cyprus by Turkish forces.

When the Council met on 13 March, the Secretary-General said that the United Nations Peace-keeping Force would be established without further delay and that elements of it would soon be deployed in Cyprus ; the Council unanimously adopted a five-power draft resolution calling upon all United Nations Member States to refrain from any action likely to worsen the situation in Cyprus or to endanger national peace(7).

In several reports during the period between 16 March and 15 June, 1964, the Secretary-General informed the Council of

(5) Vol. 164, page 219.
(6) Page 711.
(7) Page 712.

the formation, functioning, operations and status of the Peace-keeping Force in Cyprus, as well as of developments in connexion with the United Nations Mediator's mandate. On 25 March, the Council was informed that Lieutenant-General Gyani, whom he had appointed Commander of the Force, would assume command on 27 March, at which time the Force would become operational under the Council's resolution of 4 March. On 26 March, the Secretary-General informed the Council that, with the agreement of the Governments of Cyprus, Greece, Turkey and the United Kingdom, he had designated Sakari S. Tuomioja as the United Nations Mediator in Cyprus. On 11 May, he informed it that Galo Plaza was going to Cyprus as his Special Representative, directly responsible to him, to include negotiations of essential non-military matters and without impinging upon the efforts of the Mediator or upon the functions of the Commander of the Force.

Further communications on the Cyprus problem addressed to the Council or the Secretary-General were received during this period from the representatives of Cyprus, Greece, Turkey (including communications from the Vice-President of Cyprus), the USSR and the United Kingdom. They were circulated, when requested, as documents of the Council.

On 15 June, the Secretary-General submitted to the Council the first comprehensive report on the United Nations operations in Cyprus for the period from 26 April to 8 June 1964.

The report analysed the military as well as the political, economic, social and judicial aspects of the Cyprus situation. The United Nations Force in Cyprus (UNIFCYP) had, in its few months' activities, made a valuable contribution to the cause of peace in Cyprus, the report noted. During the period under review there had been no military incidents which involved major clashes. The presence of the Force had undoubtedly prevented a recurrence of open fighting, but the tension in the island had not substantially lessened. Both the Greek and the Turkish Cypriots had taken advantage of the comparative lull to strengthen their military positions. Areas of tension remained mainly in Nicosia, the Kyrenia Pass and the Kokkina-Mansoura area in the north-west of the island.

There was no major progress towards removing fortifications or disarming civilians. The decision of the Cyprus Government to introduce conscription and to organise and equip an army had increased the tension, since it might lead to a corresponding arms increase on the Turkish Cypriot side. It was also feared that, in the attempt by the Government to restore law and order by itself, violence and fighting might again break out.

The report also said that the recurrent threat of landing by Turkish military forces, the importation and smuggling of arms into Cyprus, the lack of any progress in achieving freedom of movement on the roads and the question of missing persons and of abductions remained very serious causes of tension. A certain amount of progress had been reported in the solution of some economic, social and judicial problems, but it was clear that economic considerations, even if difficulties started to be seriously felt in both main communities, were not likely to be an important factor affecting political considerations and decisions in the forthcoming period.

The Secretary-General reported that the presence of contingents of the Greek and Turkish national armies had caused a problem because of their one-sided attitudes. He said that the Greek contingent would readily place itself under the United Nations command if a similar arrangement could be made with the Turkish contingent. The report also stressed that further progress and a proof of the usefulness of UNFICYP could only be possible if the two communities and their leaders were willing to show more flexibility in their positions.

UNFICYP in June consisted of 6,238 military personnel from Austria, Canada, Denmark, Finland, Ireland, Sweden and the United Kingdom and 173 civilian police from Austria, Australia, Denmark, New Zealand and Sweden.

The Secretary-General said that informal consultations on the question of extending the operational period of UNIFICYP with Council members, States providing contingents and voluntary monetary contributions, and the Government of Cyprus had indicated, generally, that an extension of the Force was favoured.

He announced the resignation of General Gyani and the appointment of General K. S. Thimayya, also of India, as the

new Commander. He also pointed out that the method of financing the Force was most unsatisfactory because of the uncertainty of voluntary contributions.

The report added that the Mediator, Mr. Tuomioja, had been in consultation with the parties concerned in order to find a sufficient measure of common ground to develop the basis for a long-term political solution. In the prevailing circumstances, the Mediator's task was not likely to lead to positive results in a relatively short time.

The Council considered the Secretary-General's report at four meetings held between 18 and 20 June. It was generally agreed that the situation in Cyprus was still far from satisfactory. Members concurred in the view that the presence of the United Nations Force in the island had prevented a recurrence of open clashes and fighting and there was a consensus that the Force's mandate should be extended for another period of three months.

On 20 June 1964, the five-power draft resolution was adopted unanimously([8]).

Tension in Cyprus, however, continued. The Secretary-General expressed his concern over the seriousness of the situation in exchanges of communications with the parties directly concerned and with some other Member States.

Early in August, the fighting between the two main communities was renewed in various parts of Cyprus, and there were air and naval actions by Turkey in the north-west areas of the island.

On 8 August, Turkey requested an urgent meeting of the Council to consider the serious situation created in Cyprus by the renewed and continuing attempts of the Greek Cypriots to subdue by force of arms the Turkish community in Cyprus. Cyprus also requested an immediate meeting of the Council as a matter of utmost urgency in view of the deliberate and unprovoked armed aerial attacks against the unarmed civilians of Cyprus carried out by aircraft of the Turkish Air Force.

When the Council met, on the evening of 8 August, the President informed the members that all efforts made by UNFICYP to bring about a cease-fire in the spots where fighting had occurred had not yet met with success.

([8]) U.N. Security Council Resolution 192 (1964). Document S/5778.

The representative of Cyprus informed the Council that Turkish warships were heading for Cyprus for the purpose of invasion.

The representative of Turkey declared that the Greek Cypriots had made their military preparations during the last few weeks and, on 5 August, had unleashed offensives on several Turkish Cypriot localities in the island, particularly in the Kokkina-Mansoura area. Those developments had been brought to the attention of the Secretary-General, of UNFICYP and of the other guarantor powers. UNFICYP was unable to act and to exercise its mandate. Therefore Turkey had, under its rights by the Treaty of Guarantee, decided to stop the further attacks of the Greek Cypriots in the north-west areas by sending its military aircraft to attack exclusively Greek Cypriot military targets as a limited police action. He stressed that the air attacks were intended to halt Greek Cypriot aggression and that they would stop when it stopped. He viewed as a threat the statement made by the Interior Minister of Cyprus that an unrestrained assault against the entire Turkish population would be made unless the Turkish air attacks stopped by 9 August. The Council was requested to consider measures to put an end to the Greek Cypriot aggression against the Turkish Cypriot population, to stop any further importation of military equipment and personnel, to control all entry points into Cyprus and to consider a gradual and controlled disarmament of both sides.

The representative of Cyprus said that Turkey, despite its obligations under the United Nations Charter, had used force and bombed with napalm the unarmed Greek Cypriot population in some parts of Cyprus. He denied that Government forces had started an attack on the Turkish Cypriots in the north-west of the island and reviewed the events preceding the fighting in that area. The renewed attack by the Turkish Cypriots was merely provocation as a preliminary to intervention. He reminded the Council that the resolution of 4 March 1964 did not recognise any other government authority in Cyprus than the Government of Cyprus and did not give any status to the rebels as a fighting force that must be respected by the United Nations.

The representative of Greece noted that Turkey, which contended that the action of its air force was intended to

protect a civilian minority attacked by the Cyprus Government forces, had not called for an urgent meeting of the Council to explain the facts and to ask that measures be taken by the Council. He stressed that the Council was confronted by an undeniable act of aggression by Turkey. If the attacks continued, Greece would assist Cyprus by all the military means available to it. He informed the Council of his Government's call for an immediate end to hostilities and for a peaceful solution of the question.

The USSR representative declared that the foreign armed intervention in the domestic affairs of Cyprus was very serious, having possible grave consequences for peace in the Eastern Mediterranean area. He warned the Council that it could not admit that one sovereign State could arrogate to itself the right to undertake so-called police measures against another sovereign State, as such a policy could only undermine and destroy the United Nations Charter. The Council should demand the immediate cessation of military acts against Cyprus and respect for the sovereignty of Cyprus in accordance with the Charter and previous decisions of the Council.

On 9 August, the Council's President, on the suggestion of the Ivory Coast, and with the agreement of all members of the Council, made an appeal to the Government of Turkey " to cease instantly the bombardment and use of military force of any kind against Cyprus " and to the Government of Cyprus " to direct the armed forces under its control to cease firing immediately."

The same day, the United States representative stressed that the responsibility of the Council was to stop hostilities which brought with them the danger of international war. He introduced a draft resolution, co-sponsored by the United Kingdom, which was approved on 9 April in a revised form by 9 votes with 2 abstentions (Czechoslovakia and the USSR). By this text, the Council: (1) reaffirmed the President's appeal ; (2) called for an immediate cease-fire by all concerned ; (3) called upon all concerned to co-operate fully with the United Nations Commander in the restoration of peace and security ; and (4) called on all States to refrain from any action that might exacerbate the situation or contribute to the broadening of hostilities(9).

(9) Page 717.

On 10 August, the Secretary-General issued a statement to the effect that the Governments of Cyprus and Turkey had responded positively and without conditions to the appeal of the President of the Council for a cease-fire.

The same day, Cyprus requested another immediate meeting of the Council to consider the extreme urgency of developments in Cyprus and to prevent any further aggravation of the situation.

When the Council met on 11 August, the representative of Cyprus informed it that Turkey had made another air attack on Cyprus on 10 August, that overflights of Cyprus by Turkish aircraft continued and that supplies to the Turkish Cypriot strongholds in Kokkina had been sent from Turkey by sea, all in violation of the cease-fire and of the Council's resolution of 9 August.

The Turkish representative declared that the present cease-fire was meaningless, unless there was a withdrawal of the Greek Cypriots to the positions they had occupied before 5 August.

The Secretary-General informed the Council that firing had come to an end in Cyprus on the ground and in the air. He also mentioned cases of violation of the cease-fire.

On 10 September, the Secretary-General submitted his second comprehensive report to the Council on the United Nations Operation in Cyprus covering the period from 8 June to 8 September. In this report, the Secretary-General indicated that the situation in the island had remained tense, although UNFICYP had done much to keep the peace and promote a return to normal conditions. The Cyprus Government and the Turkish Cypriot community had continued to build up their military strength and to fortify their positions. The tension prevailing in the island had culminated in August with the fighting in the Tylleria area and the subsequent intervention of the Turkish air force. Since then, the situation had been generally quiet. But the Secretary-General observed that this situation was an unstable one, and he drew attention to two developments in particular which might cause the tension to rise again ; first, the deadlock over the rotation of part of the Turkish contingent in Cyprus, which was normally to take place at the end of August and, second, the economic restric-

tions imposed by the Cyprus Government on the Turkish Cypriot community.

In his report, the Secretary-General also informed the Security Council that the Mediator on Cyprus, Ambassador Sakari Tuomioja, had died on 9 September as a result of the stroke which he had suffered on 16 August. In this connexion, he later informed the Council on 16 September that, in agreement with the four Governments concerned, he had designated his then Special Representative in Cyprus, Galo Plaza, as the new Mediator.

In an addendum to the report dated 15 September, the Secretary-General informed the Council that, in a message of the same date, President Makarios had advised him that the Cyprus Government had decided to remove any economic restrictions in the island. The President also indicated that his Government was ready: to order the removal of all the armed posts throughout Cyprus, provided that the Turkish Cypriot leadership would do the same ; to afford protection and financial assistance to those Turkish Cypriots who wished to be resettled in their homes ; to grant a general amnesty ; and to accept any suggestion of the United Nations in respect of practical security measures designed to contribute to the pacification of the island, provided such measures would not affect the political solution of the problem.

There was a general improvement in the situation in Cyprus in the last few months of 1964. There were no major incidents during those months and the economic restrictions imposed by the Cyprus Government on the Turkish Cypriot community were considerably relaxed. In accordance with the agreement announced by the Secretary-General in the Security Council, the scheduled rotation of the Turkish national contingent took place at the end of October and the Nicosia-Kyrenia road was reopened under the exclusive control of UNFICYP. This was followed by a general easing of restrictions on the freedom of movement of the population throughout the island.

This improvement, however, was a precarious one, as the position of the leaders of both communities remained basically unchanged and the tension continued to be high.

The search for an agreed settlement of the problem continued with the new Mediator. But he noted that the amelioration of the day-to-day situation in Cyprus had not yet had the effect of eliminating the differences of view among the parties concerned as to a political solution of the problem.

This state of affairs was reflected in the third report of the Secretary-General on the United Nations Operation in Cyprus, which covered the period from 10 September to 12 December.

In his report, the Secretary-General stated that the general situation in Cyprus was improving and that the cease-fire was being observed, but that basic factors of the Cyprus question remained essentially unchanged. Acute political conflict and distrust between the leaders of the two communities and the passions stirred among the communities' members still were creating a state of potential civil war. Basically, the life and economy of the island remained disrupted and abnormal ; there was no normal functioning of the Government administration in areas controlled by the Turkish Cypriots.

The report stressed that UNFICYP activities were still indispensable for the welfare of the people in Cyprus and for the maintenance of conditions in which the search for a long-term solution could be further pursued. The Secretary-General recommended the prolongation of UNFICYP's mandate for a further period of three months and urged all Member States and the specialised agencies to contribute to the financing of UNFICYP.

The Council met on 18 December, 1964, to consider the report, and a Resolution was adopted extending the stationing in Cyprus of the United Nations Peace-keeping Force until 26 March, 1965([10]).

At the end of 1964 the Mediator was continuing his efforts to bring together the views of the interested parties in his search for a settlement acceptable to both communities without any foreign interference.

([10]) Page 718.

PROTOCOL of the Commission of Mediation, Conciliation and Arbitration of the Organisation of African Unity.—Cairo, 21st July, 1964[1]

PART I

ESTABLISHMENT AND ORGANISATION

ARTICLE I

The Commission of Mediation, Conciliation and Arbitration established by Article XIX of the Charter of the Organisation of African Unity[2] shall be governed by the provisions of the present Protocol.

ARTICLE II

1. The Commission shall consist of twenty-one members elected by the Assembly of Heads of State and Government.

2. No two Members shall be nationals of the same State.

3. The Members of the Commission shall be persons with recognised professional qualifications.

4. Each Member State of the Organisation of African Unity shall be entitled to nominate two candidates.

5. The Administrative Secretary-General shall prepare a list of the candidates nominated by Member States and shall submit it to the Assembly of Heads of State and Government.

ARTICLE III

1. Members of the Commission shall be elected for a term of five years and shall be eligible for re-election.

2. Members of the Commission whose terms of office have expired shall remain in office until the election of a new Commission.

3. Notwithstanding the expiry of their terms of office, Members shall complete any proceedings in which they are already engaged.

(1) Organisation of African Unity, Provisional Secretariat, *Resolutions &c.*, page 69–76. The Protocol was adopted by the Assembly of Heads of State and Government of the O.A.U., meeting in Cairo, 17–21 July, 1964.

(2) Page 225.

ARTICLE IV

Members of the Commission shall not be removed from office except by decision of the Assembly of Heads of State and Government, by a two-thirds majority of the total membership, on the grounds of inability to perform the functions of their office or of proved misconduct.

ARTICLE V

1. Whenever a vacancy occurs in the Commission, it shall be filled in conformity with the provisions of Article II.

2. A Member of the Commission elected to fill a vacancy shall hold office for the unexpired term of the Member he has replaced.

ARTICLE VI

1. A President and two Vice-Presidents shall be elected by the Assembly of Heads of State and Government from among the Members of the Commission who shall each hold office for five years. The President and the two Vice-Presidents shall not be eligible for re-election as such officers.

2. The President and two Vice-Presidents shall be full-time members of the Commission, while the remaining eighteen shall be part-time Members.

ARTICLE VII

The President and the two Vice-Presidents shall constitute the Bureau of the Commission and shall have the responsibility of consulting with the parties as regards the appropriate mode of settling the dispute in accordance with this Protocol.

ARTICLE VIII

The salaries and allowances of the Members of the Bureau and the remuneration of the other Members of the Commission shall be determined in accordance with the provisions of the Charter of the Organisation of African Unity.

ARTICLE IX

1. The Commission shall appoint a Registrar and may provide for such other officers as may be deemed necessary.

2. The terms and conditions of service of the Registrar and other administrative officers of the Commission shall be governed by the Commission's Staff Regulations.

ARTICLE X

The Administrative expenses of the Commission shall be borne by the Organisation of African Unity. All other expenses incurred in connection with the proceedings before the Commission shall be met in accordance with the Rules of Procedure of the Commission.

ARTICLE XI

The Seat of the Commission shall be at Addis Ababa, Ethiopia.

PART II

GENERAL PROVISIONS

ARTICLE XII

The Commission shall have jurisdiction over disputes between States only.

ARTICLE XIII

1. A dispute may be referred to the Commission jointly by the parties concerned, by party to the dispute, by the Council of Ministers or by the Assembly of Heads of State and Government.

2. Where a dispute has been referred to the Commission as provided in paragraph 1, and one or more of the parties have refused to submit to the jurisdiction of the Commission, the Bureau shall refer the matter to the Council of Ministers for consideration.

ARTICLE XIV

The consent of any party to a dispute to submit to the jurisdiction of the Commission may be evidenced by:

(*a*) a prior written undertaking by such party that there shall be recourse to Mediation, Conciliation or Arbitration;

(*b*) reference of a dispute by such party to the Commission ; or

(*c*) submission by such party to the jurisdiction in respect of a dispute referred to the Commission by another State, by the Council of Ministers, or by the Assembly of Heads of State and Government.

ARTICLE XV

Member States shall refrain from any act or omission that is likely to aggravate a situation which has been referred to the Commission.

ARTICLE XVI

Subject to the provisions of this Protocol and any special agreement between the parties, the Commission shall be entitled to adopt such working methods as it deems to be necessary and expedient and shall establish appropriate rules of procedure.

ARTICLE XVII

The Members of the Commission, when engaged in the business of the Commission, shall enjoy diplomatic privileges and immunities as provided for in the Convention on Privileges and Immunities of the Organisation of African Unity.

ARTICLE XVIII

Where, in the course of Mediation, Conciliation or Arbitration, it is deemed necessary to conduct an investigation or inquiry for the purpose of elucidating facts or circumstances relating to a matter in dispute, the parties concerned and all other Member States shall extend to those engaged in any such proceeding the fullest co-operation in the conduct of such investigation or inquiry.

ARTICLE XIX

In case of a dispute between Member States, the parties may agree to resort to any one of these modes of settlement : Mediation, Conciliation and Arbitration.

PART III

MEDIATION

ARTICLE XX

When a dispute between Member States is referred to the Commission for Mediation, the President shall, with the consent of the parties, appoint one or more members of the Commission to mediate the dispute.

ARTICLE XXI

1. The role of the mediator shall be confined to reconciling the views and claims of the parties.

2. The mediator shall make written proposals to the parties as expeditiously as possible.

3. If the means of reconciliation proposed by the mediator are accepted, they shall become the basis of a protocol of arrangement between the parties.

PART IV

CONCILIATION

ARTICLE XXII

1. A request for the settlement of a dispute by conciliation may be submitted to the Commission by means of a petition addressed to the President by one or more of the parties to the dispute.

2. If the request is made by only one of the parties, that party shall indicate that prior written notice has been given to the other party.

3. The petition shall include a summary explanation of the grounds of the dispute.

ARTICLE XXIII

1. Upon receipt of the petition, the President shall, in agreement with the parties, establish a Board of Conciliators, of whom three shall be appointed by the President from among the Members of the Commission, and one each by the parties.

2. The Chairman of the Board shall be a person designated by the President from among the three Members of the Commission.

3. In nominating persons to serve as Members of the Board, the parties to the dispute shall designate persons in such a way that no two Members of it shall be nationals of the same State.

ARTICLE XXIV

1. It shall be the duty of the Board of Conciliators to clarify the issues in dispute and to endeavour to bring about an agreement between the parties upon mutually acceptable terms.

2. The Board shall consider all questions submitted to it and may undertake any inquiry or hear any person capable of giving relevant information concerning the dispute.

3. In the absence of disagreement between the parties, the Board shall determine its own procedure.

ARTICLE XXV

The parties shall be represented by agents, whose duty shall be to act as intermediaries between them and the Board. They may moreover be assisted by counsel and experts and may request that all persons whose evidence appears to the Board to be relevant shall be heard.

ARTICLE XXVI

1. At the close of the proceedings, the Board shall draw up a report stating either:

(*a*) that the parties have come to an agreement and, if the need arises, the terms of the agreement and any recommendation for settlement made by the Board ; or

(*b*) that it has been impossible to effect a settlement.

2. The Report of the Board of Conciliators shall be communicated to the parties and to the President of Commission without delay and may be published only with the consent of the parties.

PART V

ARBITRATION

ARTICLE XXVII

1. Where it is agreed that arbitration should be resorted to, the Arbitral Tribunal shall be established in the following manner:

(*a*) each party shall designate one arbitrator from among the Members of the Commission having legal qualifications;

(*b*) the two arbitrators thus designated shall, by common agreement, designate from among the Members of the Commission a third person who shall act as Chairman of the Tribunal;

(*c*) where the two arbitrators fail to agree, within one month of their appointment, in the choice of the person to be Chairman of the Tribunal, the Bureau shall designate the Chairman.

2. The President may, with the agreement of the parties, appoint to the Arbitral Tribunal two additional Members who need not be Members of the Commission but who shall have the same powers as the other Members of the Tribunal.

3. The arbitrators shall not be nationals of the parties, or have their domicile in the territories of the parties, or be employed in their service, or have served as mediators or conciliators in the same dispute. They shall all be of different nationalities.

ARTICLE XXVIII

Recourse to arbitration shall be regarded as submission in good faith to the award of the Arbitral Tribunal.

ARTICLE XXIX

1. The parties shall, in each case, conclude a *compromis* which shall specify:

(*a*) the undertaking of the parties to go to arbitration, and to accept as legally binding, the decision of the Tribunal;

(*b*) the subject matter of the controversy; and

(*c*) the seat of the Tribunal.

2. The *compromis* may specify the law to be applied by the Tribunal and the power, if the parties so agree, to adjudicate *ex æquo et bono*, the time-limit within which the award of the arbitrators shall be given, and the appointment of agents and counsel to take part in the proceedings before the Tribunal.

ARTICLE XXX

In the absence of any provision in the *compromis* regarding the applicable law, the Arbitral Tribunal shall decide the dispute according to treaties concluded between the parties, International Law, the Charter of the Organisation of African Unity, the Charter of the United Nations and, if the parties agree, *ex æquo et bono*.

ARTICLE XXXI

1. Hearings shall be held in *camera* unless the arbitrators decide otherwise.

2. The record of the proceedings signed by the arbitrators and the Registrar shall alone be authoritative.

3. The arbitral award shall be in writing and shall, in respect of every point decided, state the reasons on which it is based.

ARTICLE XXXII

The present Protocol shall, after approval by the Assembly of Heads of State and Government, be an integral part of the Charter of the Organisation of African Unity.

ARTICLE XXXIII

This Protocol may be amended or revised in accordance with the provisions of Article XXXIII of the Charter of the Organisation of African Unity.

In faith whereof, we the Heads of African State and Government, have signed this Protocol.

Done at Cairo (United Arab Republic), on the 21st day of July, 1964.

Signatory States

Algeria	Mali
Burundi	Mauritania
Cameroun	Morocco
Central African Republic	Niger
Chad	Nigeria
Congo (Brazzaville)	Rwanda
Dahomey	Senegal
Ethiopia	Sierra Leone
Gabon	Somalia
Ghana	Sudan
Guinea	Togo
Ivory Coast	Tunisia
Kenya	Uganda
Liberia	United Arab Republic
Libya	United Republic of Tanganyika and Zanzibar
Malagasy Republic	
Malawi	Upper Volta

RESOLUTIONS adopted by the Assembly of Heads of State and Government of the Organisation of African Unity.—Cairo, 21st July, 1964[1]

(*a*) *Apartheid in South Africa*

The Assembly of Heads of State and Government meeting in its First Ordinary Session in Cairo, U.A.R., from 17 to 21 July 1964,

Recalling the Resolution on *Apartheid* and Racial Discrimination adopted by the Conference of Heads of State and Government in Addis Ababa in May 1963[2],

Having examined the Report of the Liberation Committee,

(1) The Assembly met in Cairo 17–21 July, 1964, and was attended by representatives of Algeria, Burundi, Cameroun, Central African Republic, Chad, Congo (Brazzaville), Dahomey, Ethiopia, Gabon, Ghana, Guinea, Ivory Coast, Kenya, Liberia, Libya, Malagasy Republic, Malawi, Mali, Mauritania, Morocco, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Togo, Tunisia, Uganda, United Arab Republic, United Republic of Tanganyika and Zanzibar, and Upper Volta. Congo (Leopoldville) was not represented.

(2) Page 236, resolution (*b*).

Having heard the Report on the activities of the delegation of Ministers for Foreign Affairs instructed by the Conference of Heads of State and Government to explain and uphold the African position before the United Nations Security Council,

Noting with grave concern the consistent refusal of the South African Government to give consideration to appeals made by every sector of world opinion and in particular the resolutions of the United Nations Security Council and General Assembly,

Noting in particular that, in view of the South African Government's apparent decision to disregard all peaceful intervention attempting to bring about discontinuation of their policy of *apartheid,* sanctions of every nature being the only means available of achieving a peaceful solution to the explosive situation which prevails in South Africa,

1. *Reaffirms* that the position in South Africa represents a serious threat to peace and international security ;

2. *Condemns* the South African Government whose policy, being incompatible with its political and moral obligations as a Member State of the United Nations, constitutes a grave danger to stability and peace in Africa and in the world ;

3. *Approves and encourages* the action of representatives of the Organisation of African Unity within the various international bodies with a view to bringing about abolition of the policy of *apartheid* and note with pleasure the increasing support of a number of countries and institutions in favour of African demands in this respect ;

4. *Reiterates* its appeal to all countries to apply in the strictest manner the economic, diplomatic, political and military sanctions already decided by the United Nations General Assembly and Security Council ;

5. *Appeals* to the major commercial partners of the South African Government to discontinue the encouragement they are giving to the maintenance of *apartheid* by their investments and commercial relations with the Pretoria Government ;

6. *Decides* to take the necessary steps to refuse any aeroplane or ship or any other means of communication going

to or coming from South Africa the right to fly over the territories of Member States or utilise their ports or any other facilities.

(*b*) *Apartheid and Racial Discrimination*

The Assembly of Heads of State and Government,

Recalling the Resolution on *Apartheid* and Racial Discrimination ([2]) adopted by the Conference of Heads of State and Government in Addis Ababa in May 1963,

Recalling further the Resolutions on *Apartheid* and Racial Discrimination of the Council of Ministers,

Reaffirming in particular Resolution CM/Res.13(II) adopted by the Council of Ministers at its Second Session in Lagos,

Having examined the Report of the Administrative Provisional Secretary-General of the Organization of African Unity, the proceedings and Resolutions of the International Conference of Economic Sanctions against South Africa contained in the Provisional Secretary-General's Report, the Report of the Foreign Ministers of Liberia, Madagascar, Sierra Leone and Tunisia, appointed by the Conference of Heads of State and Government at Addis Ababa in 1963 to represent OAU Member States at the Security Council, and the Report of the African Group at the United Nations,

Noting with great concern the consistent refusal of the Government of South Africa to give consideration to appeals made by every sector of world opinion as well as its non-compliance with the Resolutions of the Security Council and the General Assembly of the United Nations,

Noting in particular that the attitude of certain States towards the Government of South Africa and their continued close relations with that Government only encourages it to persist in its policies of *apartheid* and contempt for the United Nations,

Convinced of the necessity of intensifying as a matter of urgency the action of the African States in regard to furthering the application of sanctions against the Government of South Africa,

Expressing its deep concern over the trials conducted according to the arbitrary and inhuman laws of the Government of South Africa to convict the opponents of *apartheid.*

Deeply distressed at the recent convictions of and sentences passed on African nationalists, particularly on Nelson Mandela and Walter Sisulu,

Decides :

1. *To call* for the release of Nelson Mandela, Walter Sisulu, Mangalisso Sobukue and all other Nationalists imprisoned or detained under the arbitrary laws of South Africa ;

2. *To extend* the mandate of the Foreign Ministers of Liberia, Madagascar, Sierra Leone and Tunisia, commissioned by the Conference of Heads of State and Government in Addis Ababa, in May 1963, to continue their representation on behalf of all OAU Member States at the deliberations of the Security Council ;

3. *To appeal* to all oil producing countries to cease as a matter of urgency their supply of oil and petroleum products to South Africa ;

4. *To call* on all African States to implement forthwith the decision taken in Addis Ababa, in May 1963, to boycott South African goods and to cease the supply of minerals and other raw materials to South Africa ;

5. *To request* the co-operation of all countries and in particular that of the major trading partners of South Africa in the boycott of South African goods ;

6. *To establish* a machinery within the OAU General Secretariat, which will be entrusted *inter alia* with the following functions:

(*a*) to plan co-ordination of sanctions against South Africa among the Member States, and to ensure the strictest implementation of all relevant resolutions of the OAU,

(*b*) to harmonize co-operation with friendly States with a view to implementing an effective boycott of South Africa,

(*c*) to collect and disseminate information about governmental and private financial, economic and commercial institutions, which trade with South Africa,

(*d*) to promote, in co-operation with other international bodies, the campaign for international economic sanctions against South Africa by all appropriate means, in particular by countering the propaganda and pressures of the South African Government.

(*c*) *Southern Rhodesia*

The Assembly of Heads of State and Government,

Recalling the Resolution on Decolonisation adopted by the Conference of Heads of State and Government in Addis Ababa, in May 1963(3), and Resolution CM.14(II) adopted by the Council at its Second Session in Lagos,

Recalling further the Resolutions adopted by the General Assembly of the United Nations on the question of Southern Rhodesia,

Deeply concerned over the continued deterioration of the situation in Southern Rhodesia resulting from the increasingly repressive measures being applied by the racist minority government of European settlers,

Noting with satisfaction the stand taken by the leaders of the African Member States of the Commonwealth at the 13th Conference of Commonwealth Presidents and Prime Ministers held in London in July 1964(4),

Noting further the final communiqué issued by the Conference on the question of Southern Rhodesia,

Having examined the Report of the African Group at the United Nations, submitted in response to Resolution CM/14(II) of the Council of Ministers to take appropriate diplomatic measures to ensure that the British Government implement, without delay, the resolutions of the United Nations on Southern Rhodesia,

Requests :

1. African States to take a vigorous stand against a Declaration of Independence of Southern Rhodesia by a European minority government and to pledge themselves to take appropriate measures, including the recognition and support of an African nationalist government in exile should such an eventuality arise ;

(3) Page 236, resolution (*a*).
(4) *See* page 570.

2. The African Group at the United Nations to examine further measures to be taken in the event of a declaration of independence by the European minority government and to submit a report to the Council ;

3. The United Kingdom to convene immediately a constitutional conference in which representatives of all political groups in Southern Rhodesia would participate with a view to preparing a new and democratic constitution ensuring majority rule on the basis of " one man, one vote " ;

4. The immediate release of Joshua N'Komo, the Rev. Ndabininge Sithole and all other political prisoners and detainees ;

5. The Foreign Ministers of Algeria and Senegal assisted by the African Group at the United Nations to undertake the task of presenting the problem of Southern Rhodesia at the appropriate time before the Security Council ;

6. The Governments of Malawi and the United Republic of Tanganyika and Zanzibar to offer their good offices to the nationalist parties in Southern Rhodesia so as to bring about a united front of all the liberation movements for the rapid attainment of their common objective of independence ;

7. The African nationalist movements in Southern Rhodesia to intensify their struggle for immediate independence.

(*d*) *Territories under Portuguese domination*

The Assembly of Heads of State and Government,

Having considered the situation in the African territories under Portuguese domination,

Noting with deep concern the adamant refusal of Portugal to recognise the inalienable right of the African peoples under its domination to self-determination and independence,

Recalling the Resolution on Decolonisation adopted by the Conference of Heads of State and Government, in Addis Ababa in May 1963[3], in particular its operative paragraphs 7, 8, 9 and 10,

Convinced that only concerted positive action by all Independent African States and the nationalist movements in these territories will secure their liberation,

1. *Condemns* Portugal for its persistent refusal to recognise the right of the peoples under its domination to self-determination and independence and for its non-compliance with the Resolution of the General Assembly and the Security Council of the United Nations ;

2. *Calls* on African nationalist movements in the territories under Portuguese domination to intensify their struggle for their immediate liberation ;

3. *Reiterates its belief* that it is indispensable to implement in all its aspects the decision taken in Addis Ababa in May 1963 to boycott Portugal ;

4. *Decides* to establish a machinery within the OAU General Secretariat, which would be entrusted *inter alia* with the following functions

(*a*) to co-ordinate among the Member States the strictest implementation of all relevant Resolutions of the OAU,

(*b*) to harmonise co-operation with friendly States with a view to implementing an effective boycott of Portugal,

5. *Decides further* to extend the mandate of the Foreign Ministers of Liberia, Madagascar, Sierra Leone and Tunisia commissioned by the Conference of Heads of State and Government to represent OAU Member States at the deliberations of the Security Council on the question of territories under Portuguese domination.

(*e*) *Denuclearisation of Africa*

We, the Heads of African State and Government,

Conscious of our responsibilities towards our peoples and our obligations under the Charter of the United Nations(5) and the Charter of the Organization of African Unity(6) to exert every effort to strengthen international peace and security,

Determined that conditions conducive to international peace and security should prevail to save mankind from the scourge of nuclear war,

Deeply concerned with the effects resulting from the dissemination of nuclear weapons.

(5) Vol. 145, page 805.
(6) Page 225.

Confirming Resolution 1652(XVI) of the General Assembly of the United Nations which called upon all States to respect the Continent of Africa as a nuclear-free zone(7),

Reaffirming the Resolution on General Disarmament adopted by the Conference of Heads of State and Government in Addis Ababa in May 1963(8),

Bearing in mind that the General Assembly of the United Nations in its Sixteenth Session called upon " All States, and in particular upon the States at present possessing nuclear weapons, to use their best endeavours to secure the conclusion of an international agreement containing provisions under which the nuclear States would undertake to refrain from relinquishing control of nuclear weapons and from transmitting the information necessary for their manufacture to States not possessing such weapons, and (containing) provisions under which States not possessing nuclear weapons would undertake not to manufacture or otherwise acquire control of such weapons "(9),

Convinced that it is imperative to exert new efforts towards the achievement of an early solution to the problem of general disarmament,

1. *Solemnly declare* their readiness to undertake in an International Treaty to be concluded under the auspices of the United Nations not to manufacture or acquire control of nuclear weapons ;

2. *Call upon* all peace-loving nations to adhere to the same undertaking ;

3. *Call upon* all nuclear powers to respect and abide by this Declaration ;

4. *Invite* the General Assembly of the United Nations, in its 19th Regular Session, to approve this Declaration and take the necessary measures to convene an International Conference with a view to concluding an international treaty.

(*f*) *The Territorial integrity of Basutoland, Bechuanaland and Swaziland*

The Assembly of Heads of State and Government,

(7) Vol. 166, page 523.
(8) Page 236, resolution (*d*).
(9) U.N. General Assembly Resolution 1665 (XVI).

Having examined the likely situation that would face Basutoland, Bechuanaland and Swaziland on attainment of independence,

Noting that the Government of the United Kingdom has agreed to grant independence in the immediate future to these territories,

Noting further Resolution 1954(XVIII) of the General Assembly of the United Nations solemnly warning the " Government of the Republic of South Africa that any attempt to annex or encroach upon the territorial integrity of these three Territories shall be considered an act of aggression ",

1. *Requests* the Member States of OAU in consultation with the authorities of Basutoland, Bechuanaland and Swaziland to take the necessary steps so as to secure a guarantee by the United Nations for the territorial integrity, independence and sovereignty of these territories ; and

2. *Authorizes* in particular the African Group at the United Nations to take necessary measures, in consultation with the Committee of Liberation and the nationalist movements in these territories, to bring the question of guarantee before the Security Council at the appropriate time.

(*g*) *Racial Discrimination in the United States of America*

The Assembly of Heads of State and Government,

Recalling Resolution 1904(XVIII) of the General Assembly of the United Nations adopted on 20 November 1963: the Declaration on the Elimination of all Forms of Racial Discrimination,

Recalling other Resolutions of the General Assembly and the Specialized Agencies of the United Nations calling for the elimination of all forms of racial discrimination,

Taking into account the Resolution adopted at the Conference of Heads of State and Government in Addis Ababa in May 1963 condemning racial discrimination in all its forms in Africa and in all parts of the world(2),

Considering that one hundred years have passed since the Emancipation Proclamation was signed in the United States of America,

(2) Page 236, resolution (*b*).

Noting with satisfaction the recent enactment of the Civil Rights Act[10] designed to secure for American Negroes their basic human rights,

Deeply disturbed, however, by continuing manifestations of racial bigotry and racial oppression against Negro citizens of the United States of America,

1. *Reaffirms* its belief that the existence of discriminatory practices is a matter of deep concern to Member States of the Organization of African Unity ;

2. *Urges* the Government authorities in the United States of America to intensify their efforts to ensure the total elimination of all forms of discrimination based on race, colour, or ethnic origin.

(*h*) *Border Disputes among African States*

The Assembly of Heads of State and Government,

Considering that border problems constitute a grave and permanent factor of dissention,

Conscious of the existence of extra-African manoeuvres aimed at dividing African States,

Considering further that the borders of African States, on the day of their independence, constitute a tangible reality,

Recalling the establishment in the course of the Second Ordinary Session of the Council of the Committee of Eleven charged with studying further measures for strengthening African Unity.

Recognizing the imperious necessity of settling, by peaceful means and within a strictly African framework, all disputes between African States,

Recalling further that all Member States have pledged, under Article VI of the Charter of African Unity, to respect scrupulously all principles laid down in paragraph 3 of Article III of the Charter of the Organization of African Unity[11],

1. *Solemnly reaffirms* the strict respect by all Member States of the Organization for the principles laid down in paragraph 3 of Article III of the Charter of the Organization of African Unity ;

(10) U.S. Public Law 88-352, approved 2 July 1964; 78 Stat. 241.
(11) Page 225.

2. *Solemnly declares* that all Member States pledge themselves to respect the borders existing on their achievement of national independence.

(*i*) *The Revolutionary Government of Angola in Exile and the Popular Liberation Movement of Angola (MPLA)*

The Assembly of Heads of State and Government,

Having considered with deep concern the differences that exist between the Revolutionary Government of Angola in Exile and the Popular Liberation Movement of Angola (MPLA),

Convinced that a United Front of all nationalist elements would strengthen the effectiveness of the struggle for independence of the Angolan people,

Noting that some Member States have not recognised the Revolutionary Government of Angola in Exile,

1. *Calls on* those Member States which have not recognised the Revolutionary Government of Angola in Exile to accord the latter full recognition ;

2. *Calls further* on all Member States to assist and support the Revolutionary Government of Angola in Exile ;

3. *Requests* the Committee of Liberation, assisted by the Representatives of Congo (Brazzaville), Ghana and the U.A.R., to use its good offices to reconcile, by all means of persuasion, the Revolutionary Government of Angola in Exile and the Popular Liberation Movement of Angola (MPLA) so as to secure a United Front of all nationalist elements in the struggle for independence ;

4. *Requests further* the Committee of Liberation, assisted by the Representatives of the Member States designated in the preceding paragraph, to submit a report on the result of its effort to the Fourth Ordinary Session of the Council of Ministers.

(*j*) *Renunciation of the Use of War and Armed Force as Instruments of National Policy*

The Assembly of Heads of State and Government,

Reaffirming our commitments to international peace as set

forth in the Charter of the United Nations and in the Charter of the Organisation of African Unity ;

Renewing our adherence to the principles as set forth in Article III of the Charter of the Organisation of African Unity ;

Recognising the inescapable fact that war, preparation for war, threats of war and fear of war constitute the single greatest obstacle to the development of our Continent, the welfare of our people and the full enjoyment of the fruits of independence ;

Ever mindful that in the colonial heritage of our Continent lie the seeds of dispute, tension, strife and conflict ;

Do hereby agree and convene that:

(1) All member States herewith renounce war and the use of armed force, except in self-defence, as instruments of national policy in dealing with other African States or as means of reaching national goals with respect to other African States ;

(2) It is the design and purpose of this undertaking to remove, with all the finality within the power of the member States, war, the threat of war and the fear of war as factors in the lives of Africans or as policies of African Government ;

(3) in adopting this non-aggression resolution, the member States reaffirm generally the commitments of peaceful settlement of disputes set forth in the Charter of the Organisation of African Unity and specifically to submission of any and all disputes between African States to the Commission of Mediation, Conciliation and Arbitration provided for in Article XIX of the Charter ;

(4) It is hereby agreed that the Organisation of African Unity shall establish measures to be taken by the members of the Organisation against any State found either by the Assembly of Heads of States and Government or the Council of Ministers to have violated the commitments of the Charter and of this resolution pursuant to Article III of the Charter ;

(5) Nothing in this resoution shall be taken as interfering with the freedom of each member State to defend itself, to help in the defence of its friends and neighbours, or to participate in the common endeavour of achieving the total emancipation of all African territories.

RESOLUTIONS on the Congo and Southern Rhodesia adopted by the Council of Ministers of the Organisation of African Unity.—Addis Ababa, 10th September, 1964(1)

(a) The Congo situation(2)

The Council of Ministers of the Organisation of African Unity meeting for its Third Extraordinary Session in Addis Ababa from 5th to 10th September, 1964, to examine the Congolese problem, its repercussions on the neighbouring states and on the African scene at large ;

Having studied the messages addressed to it by several African Heads of State and Government, especially that of President Kasavubu expressing his conviction that the solution to the Congolese problem should be found within the Organisation of African Unity ;

Having noted the invitations of the Governments of the Democratic Republic of the Congo, the Republic of Congo (Brazzaville) and the Kingdom of Burundi to the O.A.U. to send a fact-finding and goodwill mission to their countries to seek means of restoring normal relations between the Democratic Republic of the Congo and the Republic of Congo (Brazzaville) and between the Democratic Republic of the Congo and the Kingdom of Burundi ;

Taking note of the statement by the Prime Minister of the Democratic Republic of the Congo indicating his efforts and desire to bring about national reconciliation in his country ;

Deeply concerned by the deteriorating situation in the Democratic Republic of the Congo resulting from foreign intervention as well as use of mercenaries principally recruited from the racist countries of South Africa and Southern Rhodesia ;

Reaffirming the resolutions of the Organisation of African Unity inviting all African states to abstain from any relationship whatsoever with the Government of South Africa because of its policy of *apartheid*(3) ;

(1) Text issued by the Provisional Secretariat, Organisation of African Unity, Addis Ababa.
(2) O.A.U. document ECM/Res.5(III).
(3) Page 639.

Considering that foreign intervention and the use of mercenaries has unfortunate effects on the neighbouring independent states as well as on the struggle for national liberation in Angola, Southern Rhodesia, Mozambique and the other territories in the region which are still under colonial domination, and constitutes a serious threat to peace in the African continent;

Convinced that the solution of the Congolese problem, although essentially political, depends on the pursuit of national reconciliation and the restoration of order, so as to permit stability, economic development of the Congo, as well as the safeguarding of its territorial integrity;

Deeply conscious of the responsibilities and of the competence of the Organisation of African Unity to find a peaceful solution to all the problems and differences which affect peace and security in the African continent;

1. *Appeals* to the Government of the Democratic Republic of the Congo to stop immediately the recruitment of mercenaries and to expel as soon as possible all mercenaries of whatever origin who are already in the Congo so as to facilitate an African solution.

2. *Notes* the solemn undertaking of the Prime Minister of the Democratic Republic of the Congo to guarantee the security of combatants who lay down their arms.

3. *Requests* especially all those now fighting to cease hostilities so as to seek, with the help of the Organisation of African Unity, a solution that would make possible national reconciliation and the restoration of order in the Congo.

4. *Appeals* to all the political leaders of the Democratic Republic of the Congo to seek, by all appropriate means, to restore and consolidate national reconciliation.

5. *Decides* to set up and to send immediately to the Democratic Republic of the Congo, the Republic of Congo (Brazzaville) and the Kingdom of Burundi an *ad hoc* Commission consisting of Cameroon, Ethiopia, Ghana, Guinea, Nigeria, Somalia, Tunisia, U.A.R., Upper Volta and placed under the effective Chairmanship of H. E. Jomo Kenyatta, Prime Minister of Kenya, which will have the following mandate:

(*a*) to help and encourage the efforts of the Government of the Democratic Republic of the Congo in the restoration of national reconciliation in conformity with paragraphs 2 and 3 above.

(*b*) to seek by all possible means to bring about normal relations between the Democratic Republic of the Congo and its neighbours, especially the Kingdom of Burundi and the Republic of the Congo (Brazzaville).

6. *Invites* this Commission to submit its report to the Administrative Secretary-General, for immediate distribution to all Member States.

7. *Appeals* strongly to all powers at present intervening in the internal affairs of the Democratic Republic of the Congo to cease their interference. The Member States are further invited to give instructions to their diplomatic missions accredited to these powers with the view of impressing upon them this appeal.

8. *Requests* all Member States to refrain from any action that might aggravate the situation in the Democratic Republic of the Congo, or worsen the relationship between the Democratic Republic of the Congo and its neighbours.

9. *Requests* the Administrative Secretary-General to provide the Commission with all the necessary assistance to accomplish its mission.

(*b*) *The question of Southern Rhodesia*[4]

The Council of Ministers, meeting in Addis Ababa, from 5 to 10 September 1964, for the Third Extraordinary Session ;

Having decided to include exceptionally the question of Southern Rhodesia in its agenda ;

Recalling Resolution CIAS Plen 2/Rev.2(A)[5] of the Summit Conference of Heads of State and Government held in Addis Ababa in May 1963 and Resolution CM/Res.14(II) of the Council of Ministers held in Lagos, Nigeria, from 24 to 29

(4) O.A.U. document EMC/Res.6.
(5) Page 236, resolution (*a*).

February 1964 and the Resolution unanimously passed at the Summit Conference of Heads of State and Government held in Cairo, U.A.R., from 17 to 21 July, 1964(6) ;

Recalling the previous resolutions of the United Nations General Assembly on Southern Rhodesia ;

Deeply concerned about the continuing deterioration of the situation in Southern Rhodesia resulting from the increasingly repressive measures resorted to by the racist minority Government of European settlers, particularly since the Cairo Conference of Heads of State and Government ;

Noting with satisfaction the stand taken by the leaders of the African Member States of the Commonwealth at the 13th Conference of the Commonwealth Presidents and Prime Ministers held in London, in July 1964, and the terms of the final communiqué of the Conference concerning Southern Rhodesia(7) ;

Perturbed by the intentions of Mr. Ian Smith's government to declare independence unilaterally so as to keep the majority of the people disenfranchised and subjugated perpetually by the racist European minority of Southern Rhodesia ;

Recommends

1. That the United Kingdom be urged to convene as a matter of urgency a constitutional conference representative of all political groups in Southern Rhodesia to prepare a new democratic constitution to ensure majority rule on the basis of one man one vote ;

2. The immediate release of Mr. Joshua Nkomo, Rev. Ndabaningi Sithole, and all other political prisoners and detainees.

3. That O.A.U. Member States maintain their firm stand against any declaration of unilateral independence of Southern Rhodesia by a European minority government and do re-affirm their pledge to take appropriate measures, including the recognition and support of an African nationalist Government in exile, should such an eventuality arise.

(6) Page 639, resolution (*c*).
(7) *See* page 570.

STATEMENT issued at the conclusion of the First Arab Summit Conference.—Cairo, 17th January, 1964[1]

The Council of Kings and Heads of States of the Arab League in its first session held at the headquarters of the Arab League in Cairo from 13th to 16th January, 1964, upon the proposal of President Gamal Abdul Nasser, President of the United Arab Republic:

Having studied the threats and the continuous acts of aggression practised by Israel since it evicted the Arab Palestinian people from their homeland and established an imperialist occupation force on their territory, exercising racial discrimination against the Arab minority, adopting the policy of aggression and *fait accompli* as its base, persisting in ignoring the resolutions of the United Nations which affirm the natural right of this people to return to their homeland, disregarding the repeated condemnations recorded against it by the various organs of the international organization;

Having discussed the serious aggression which Israel is about to commit in regard to Arab waters by diverting the course of the Jordan River, and the grave damage to the rights of the Arabs benefiting from these waters with the object of realizing Zionist expansionist ambitions by bringing in more forces of aggression and establishing other centres threatening the security of the Arab countries as well as their progress and world peace;

In pursuance of the duty of legitimate self-defence, and fully convinced of the sacred right of the Palestinian Arab people to self-determination and to liberation from the Zionist colonial domination of their homeland, fully convinced also that Arab solidarity is the way to thwart imperialist ambitions, to realize the just Arab common interests, to raise the standard of living of the majority and to carry out the programmes of construction and development;

(1) Press release by the League of Arab States Information Centre, London. Countries represented at the Conference were: Algeria, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Saudi Arabia, Sudan, Syria, Tunisia, United Arab Republic and Yemen. A Palestinian representative also attended.

The Council has adopted practical resolutions(2) necessary to ward off the existing Zionist danger in the technical and defence fields and in organizing the Palestinian people to enable them to carry out their role in liberating their homeland and in determining their destiny ;

The Council meetings also resulted in unanimous agreement among the Kings and Heads of State to end differences, to clear the Arab atmosphere, to stop all campaigns by information media, to consolidate relations among the sister Arab states, in order to ensure constructive joint co-operation and to ward off expansionist aggressive ambitions threatening all Arabs alike ;

The Council also considered that the holding of more of these meetings at the highest level is a matter necessitated by the supreme Arab interest, and has decided that the Kings and Heads of State shall meet at least once a year, and that the next meeting be held in Alexandria in August, 1964(3) ;

The Arab Kings and Heads of State announce that the Arab nation calls on the other States and Nations, who believe in the sacredness of the rights of individuals to their homelands and of nations to benefit by their resources and to determine their destinies, to support it in repelling the new Israeli aggression ;

They affirm that the Arabs, in their lawful defensive stand, will organize their political and economic relations with other states on the basis of the attitudes of these states towards the legitimate struggle of the Arabs against Zionist ambitions in the Arab World ;

They hope that the Afro-Asian States which have believed in the Bandung(4) principles and have adhered to the Addis Ababa Charter(5), which have sacrificed a great deal in fighting imperialism and have struggled against racial discrimination, which have been and are still being subjected to the imperialist Zionist dangers and ambitions, particularly in Africa—they hope that all these states will lend their sincere support and aid to the Arabs in their just struggle.

(2) Not printed.
(3) *See* page 658.
(4) Vol. 162, page 359.
(5) Page 225.

They also hope to receive the support of all free countries which believe in peace based on justice.

The Arab Kings and Heads of State are convinced of the justice of the Arab struggle and the necessity of supporting it against imperialism in the occupied Yemeni South and Oman, as they are convinced of the justice of the national struggle in Angola, in South Africa and in every part of the world, for the causes of freedom and justice are indivisible.

They affirm their belief in solving international problems by peaceful means in accordance with the Charter of the United Nations(6), in the principle of peaceful co-existence among states and in the policy of non-alignment ;

And in the spirit of this belief, the Arab States welcomed the Moscow treaty for a partial ban on nuclear tests(7), hastened to sign it and supported the earnest endeavour to achieve complete and comprehensive disarmament by means which would safeguard international peace.

Inspired also by their attachment to peace based on right and justice and by their determination to participate in world economic progress and in the elimination of economic and social backwardness, the Arab States have played a major role in the Economic Development Conference held in Cairo in 1962(8) and look forward, in the same spirit and with the same determination, to the World Conference on Development and Trade(9) which will be held this year ;

The Arab Kings and Heads of State welcome the African Unity Charter and see in it a new hope for peace, freedom and equality in Africa and the world ;

They affirm their determination to consolidate Afro-Asian co-operation which began particularly after the Bandung Conference in 1955 ;

In this, the Arab Kings and Heads of State express their faithfulness to their duty towards their Arab nation, towards the dignity of the human family and the service of peace and prosperity in the world.

(6) Vol. 145, page 805.
(7) Page 178.
(8) Vol. 166, page 940.
(9) *See* page 720.

DECLARATION issued on the conclusion of the Second Arab Summit Conference.—Alexandria, 11th September, 1964(1)

The Council of Kings and Heads of State of the Arab League studied the report of the Secretary General of the Arab League on the resolutions and principles adopted by the first session of the Arab Summit Conference(2), the implementations of these resolutions and means of strengthening them.

The Council expressed its satisfaction with the unity of Arab ranks, with the progress of work on the resolutions of the first session, and with the initiation of collective constructive work for the advancement of the Arab people and for ensuring victory for the cause for which they are struggling.

In its second session, the Council achieved remarkable success in strengthening the solidarity of the Arab world and of joint Arab action, and adopted resolutions augmenting and completing those of the first Summit Conference.

The Council was unanimous in defining national objectives for the liberation of Palestine from Zionist colonialism and in committing itself to a plan for joint Arab action both in the present stage for which plans have been made, and in the following stage.

The Council stressed the necessity of utilising all Arab potentialities, and the mobilization of their resources and capabilities, in order to counter the challenge of colonialism and Zionism as well as Israel's continued aggressive policies and its insistence on denying the rights of the Arabs of Palestine to their homeland.

The Council adopted resolutions for the implementation of Arab plans, especially in the technical and military fields, including embarking on immediate work on projects for the exploitation of the waters of the River Jordan and its tributaries.

(1) Official text, transmitted to the United Nations under cover of a letter dated 6 October, 1964, U.N. Doc.S/6003. Countries represented at the Conference, which was held from 5–11 September, were: Algeria, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Saudi Arabia, Sudan, Syria, Tunisia, United Arab Republic and Yemen. A Palestinian representative also attended.

(2) *See* page 655.

The Council welcomed the establishment of the Palestine Liberation Organization to consolidate the Palestine Entity, and as a vanguard for the collective Arab struggle for the liberation of Palestine. It approved the Organization's decision to establish a Palestinian Liberation Army and defined the commitments of the member States to assist it in its work.

The Council discussed the political and economic surveys and reports concerning the relations of the Arab countries with foreign countries. It discussed the results of the visits of the Arab Foreign Ministers to foreign countries.

The Council expressed its appreciation for the support given by foreign countries to Arab causes in general and the Palestine cause in particular. It decided on the continuation of these contacts with all countries of the world and the completion of studies as a prelude to the implementation of principles adopted in the First Summit Conference which called for the regulation of relations vis-à-vis foreign countries in accordance with their position regarding the Palestine question and other Arab causes.

The Council confirmed Arab determination to oppose anti-Arab forces, primarily British colonialist policy and its exploitation of wealth and acts of extermination now practised in the Occupied South in defiance of the Charter and principles of the United Nations and the right of the people to self-determination and the resolutions of the General Assembly and of the United Nations Special Committee with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples(3).

The Council resolved to combat British imperialism in the Arab Peninsula and to provide assistance to the liberation movement in the Occupied South and Oman.

The Council devoted attention to consolidating Arab friendly relations with the amirates of the Arab Gulf to ensure the indivisible Arab freedom and to realize common interests.

The Council discussed means of consolidating unified Arab political, defence, economic and social action within the framework of the Arab League.

The Council placed special emphasis on the promotion of Arab economic co-operation and the implementation of all

(3) U.N. Doc. A/5800.

economic agreements since economic unity is the basic foundation on which Arab power and progress rests and the strongest bastion against foreign challenge. This, in addition to the fact that such unity is the primary objective of contemporary international groupings.

The Council stressed the necessity of stepping up cooperation and increasing the economic support to the States of the Arab Maghreb.

The Council agreed to form a joint Arab Council to undertake nuclear research for peaceful uses and to set up an Arab court of justice. It was also decided that the Council of Arab Kings and Heads of State should meet every year in September. It resolved that the Follow-Up Committee should continue to meet once every month at the present level, and once every four months at the level of Prime Ministers or Deputy Prime Ministers in one of the Arab States. The meeting at the level of Prime Ministers would assume the character of an executive authority for the Council of Kings and Heads of State, and would look into urgent matters in conformity with the resolutions of the Arab Kings and Heads of State. It will also be charged with executing and speeding up current plans. It is authorized to ask the Kings and Heads of State to hold extraordinary meetings in cases of urgent developments.

The Council welcomed the signing of the Joint Arab Defence Pact(4) by the rest of the member States which has made the pact effective in every part of the Arab world from the Atlantic Ocean to the Arab Gulf. The Arab Kings and Heads of State emphasized that an attack on any Arab State will be regarded as an attack on all the Arab States which are committed to repelling it at once.

The Council, in its belief in Afro-Asian solidarity, supports the results of the Second African Summit Conference, held in Cairo in July 1964, and finds hope in the development of African unity and in the revelation that neo-colonialism is using Israel as a tool to realize its ambitions in the developing countries against their aspirations to attain progress, strength and unity, thus perpetuating illegal foreign exploitation.

The Council believes that the rights of the peoples for freedom, self-determination and elimination of colonialism and of

(4) Vol. 157, page 669.

racial discrimination, are an integral and an indivisible whole, and that Arab-African co-operation is a foundation of Arab policy by virtue of historical and geographical association and common interests and objectives. For this reason, the Council supports the struggle for independence of the peoples of Angola, Mozambique, Southern Rhodesia, South Africa, and so-called Portuguese Guinea, and condemns foreign intervention in the Democratic Republic of the Congo.

The Arab States believe that international co-operation and world peace constitute the basic foundations for world prosperity and the happiness of mankind and the Council therefore expresses its regret over recent imperialist shows of strength and the threat to use force in solving international disputes, contrary to the universal tendency prevailing in the past years towards policies affirming peaceful coexistence and the relaxation of international tension.

The Council confirms the need for liquidating imperalist bases which threaten the safety and security of Arab lands, particularly those in Cyprus and Aden.

The Council urges the major Powers to be inspired in their policies and actions by the will of the people and the principles of peace based on justice and the right of nations to independence and self-determination.

The Council stresses the importance of the work of the International United Nations Conference on Trade and Development(5), hoping that it will continue to increase international co-operation in the field of economy for the benefit of all humanity.

The Arab Kings and Heads of State, having committed themselves to collective Arab work, serving the cause of freedom and progress in the great Arab homeland as well as world peace and co-operation, call upon every Arab citizen to fulfil his duties in this critical stage, and pray to God to guide the footsteps of his nation in its legitimate and just struggle, and for the cause of justice and peace to prevail throughout the world.

In response to the invitation extended by King Hassan II, the Council decided to hold its forthcoming meeting in September 1965 in the Kingdom of Morocco.

(5) Page 720.

FINAL ACT of the Ninth Meeting of Consultation of American Foreign Ministers.—Washington, 26th July, 1964[1]

(Extracts)

I. APPLICATION OF MEASURES TO THE PRESENT GOVERNMENT OF CUBA[2]

The Ninth Meeting of Consultation of Ministers of Foreign Affairs, serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance[3],

Having seen the report of the Investigating Committee designated on December 3, 1963, by the Council of the Organization of American States, acting provisionally as Organ of Consultation, and

Considering:

That the said report establishes among its conclusions that " the Republic of Venezuela has been the target of a series of actions sponsored and directed by the Government of Cuba, openly intended to subvert Venezuelan institutions and to overthrow the democratic Government of Venezuela through terrorism, sabotage, assault, and guerrilla warfare," and

That the aforementioned acts, like all acts of intervention and aggression, conflict with the principles and aims of the inter-American system,

Resolves:

1. To declare that the acts verified by the Investigating Committee constitute an aggression and an intervention on the part of the Government of Cuba in the internal affairs of Venezuela, which affects all of the member states.

2. To condemn emphatically the present Government of Cuba for its acts of aggression and of intervention against the territorial inviolability, the sovereignty, and the political independence of Venezuela.

3. To apply, in accordance with the provisions of Articles 6 and 8 of the Inter-American Treaty of Reciprocal Assistance, the following measures:

(1) Organisation of American States Doc. OEA/Ser.F/II. 9.
(2) Adopted by a vote of 15 to 4 (Bolivia, Chile, Mexico, Uruguay). Venezuela was not eligible to vote.
(3) Vol. 149, page 102.

a. That the governments of the American states not maintain diplomatic or consular relations with the Government of Cuba ;

b. That the governments of the American states suspend all their trade, whether direct or indirect, with Cuba, except in foodstuffs, medicines, and medical equipment that may be sent to Cuba for humanitarian reasons ; and

c. That the governments of the American states suspend all sea transportation between their countries and Cuba, except for such transportation as may be necessary for reasons of a humanitarian nature.

4. To authorize the Council of the Organization of American States, by an affirmative vote of two thirds of its members, to discontinue the measures adopted in the present resolution at such time as the Government of Cuba shall have ceased to constitute a danger to the peace and security of the hemisphere.

5. To warn the Government of Cuba that if it should persist in carrying out acts that possess characteristics of aggression and intervention against one or more of the member states of the Organization, the member states shall preserve their essential rights as sovereign states by the use of self-defense in either individual or collective form, which could go so far as resort to armed force, until such time as the Organ of Consultation takes measures to guarantee the peace and security of the hemisphere.

6. To urge those states not members of the Organization of American States that are animated by the same ideals as the inter-American system to examine the possibility of effectively demonstrating their solidarity in achieving the purposes of this resolution.

7. To instruct the Secretary General of the Organization of American States to transmit to the United Nations Security Council the text of the present resolution, in accordance with the provisions of Article 54 of the United Nations Charter.

II. DECLARATION TO THE PEOPLE OF CUBA[4]

Whereas:

The preamble to the Charter of the Organization of American States[5] declares that, " the historic mission of America is to

(4) Adopted by a vote of 16 to 0, with three abstentions (Bolivia, Chile, Mexico).

(5) Vol. 152, page 51.

offer to man a land of liberty, and a favorable environment for the development of his personality and the realization of his just aspirations " ; and that " the true significance of American solidarity and good neighborliness can only mean the consolidation on this continent, within the framework of democratic institutions, of a system of individual liberty and social justice based on respect for the essential rights of man " ;

The Charter of the Organization declares that the solidarity of the American states and the high purposes toward which it is dedicated demand that the political organization of these states be based on the effective exercise of representative democracy ;

The Charter also proclaims " the fundamental rights of the individual " and reaffirms that the " education of peoples should be directed toward justice, freedom, and peace " ;

The Declaration of Santiago, Chile(6), adopted by the Fifth Meeting of Consultation of Ministers of Foreign Affairs and signed by the present Cuban Government, proclaimed that the faith of peoples of America in the effective exercise of representative democracy is the best vehicle for the promotion of their social and political progress (Resolution XCV of the Tenth Inter-American Conference), while well-planned and intensive development of the economies of the American countries and improvement in the standard of living of their peoples represent the best and firmest foundation on which the practical exercise of democracy and the stabilization of their institutions can be established ;

The Ninth International Conference of American States condemned " the methods of every system tending to suppress political and civil rights and liberties, and in particular the action of international communism or any other totalitarian doctrine " ;

The present Government of Cuba, identifying itself with the principles of Marxist-Leninist ideology, has established a political, economic, and social system alien to the democratic and Christian traditions of the American family of nations and contrary to the principles of juridical organization upon which rest the security and peaceful harmonious relations of the peoples of the hemisphere ; and

(6) Vol. 164, page 275.

The exclusion of the present Government of Cuba from participation in the inter-American system, by virtue of the provisions of Resolution VI(7) of the Eighth Meeting of Consultation of Ministers of Foreign Affairs, by no means signifies any intention to deny the Cuban people their rightful place in the community of American peoples ;

The Ninth Meeting of Consultation of Ministers of Foreign Affairs, Serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance,

Declares:

That the free peoples of the Americas are convinced that the inter-American system offers to the Cuban people unequaled conditions for the realization of their ideals of peace, liberty, and social and economic progress ;

That the peoples belonging to the inter-American system are in complete sympathy with the Cuban people in all their sufferings, in the face of the total loss of their liberty both in the spiritual domain and in the social and economic field, the denial of their most elementary human rights, the burden of their persecutions, and the destruction of a legal system that was open to improvement and that offered the possibility of stability ; and

That, within this spirit of solidarity, the free peoples of America cannot and must not remain indifferent to or uninterested in the fate of the noble Cuban people, which is oppressed by a dictatorship that renounces the Christian and democratic traditions of the American peoples ; and in consequence

Expresses:

1. Its profound concern for the fate of the brother people of Cuba.

2. Its deepest hope that the Cuban people strengthened by confidence in the solidarity with them of the other American peoples and governments will be able, by their own endeavour, very soon to liberate themselves from the tyranny of the Communist regime that oppresses them and to establish in that country a government freely elected by the will of the people that will assure respect for fundamental human rights.

(7) Vol. 166, page 898.

3. Its firm conviction that the emphatic condemnation of the policy of the present Cuban Government of aggression and intervention against Venezuela will be taken by the people of Cuba as a renewed stimulus for its hope there will come to prevail in that country a climate of freedom that will offer to man in Cuba a favourable environment for the development of his personality and the realisation of his just aspirations.

III. REGIONAL AND INTERNATIONAL ECONOMIC COOPERATION(8)

Whereas:

The objectives of liberty and democracy that inspire the inter-American system, threatened as they are by communist subversion, cannot be fully attained if the peoples of the states that compose it lack adequate and sufficient means for bringing about vigorous social progress and better standards of living;

The persistence of a situation in which the world is divided into areas of poverty and plenty is a serious obstacle to any possibility that may present itself in the American hemisphere for achieving an economically more just society;

Harmonious and decisive action is indispensable in both the regional and the international spheres to combat the causes of economic underdevelopment and social backwardness, since prosperity and world peace based on the freedom of man cannot be achieved unless all the American countries attain equality in the economic and social field;

In particular, the continued existence of such a state of underdevelopment and poverty among large sectors of mankind, which becomes more acute in spite of the world increase in wealth and the advance of science and technology from which these sectors cannot derive full benefit; encourages the subversive action of international communism;

The countries of Latin America expressed their aspirations in the Charter of Alta Gracia and declared their determined intention to work together to build a better world in which there will be a more equitable distribution of income;

The Conference on Trade and Development, held recently in Geneva, provided a forum for a full discussion of the problems of international economics and established the basis

(8) Adopted by a vote of 19 to 0.

for adequate solutions to problems arising in the fields of raw materials, manufactured products, and international financing ; and

The instruments adopted at the two aforementioned meetings supplement and perfect those signed at the Special Meeting of the Inter-American Economic and Social Council held at Punta del Este in August 1961, and especially the Charter of Punta del Este(9).

The Ninth Meeting of Consultation of Ministers of Foreign Affairs, serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance(3),

Declares:

That the aims of unity and peace with liberty and democracy pursued in the struggle against international communism, which threatens the stability of the institutions of the inter-American system and of the countries that compose it, must be achieved by eliminating those obstacles that hinder social progress and economic development, and

Resolves:

1. To reaffirm the determined will of their peoples to work, in the regional and international spheres, for the achievement of the objectives expressed in the Charter of Alta Gracia and at the Conference on Trade and Development, which are in line with the aims and purposes of the Alliance for Progress.

2. To request the Inter-American Economic and Social Council to continue the necessary studies in order to find adequate solutions to the problems involved.

IV. DIPLOMATIC RELATIONS AMONG THE MEMBER STATES(10)

The Ninth Meeting of Consultation of Ministers of Foreign Affairs, serving as Organ of Consultation in Application of the Inter-American Treaty of Reciprocal Assistance,

Resolves:

To transmit to the Council of the Organisation of American States the draft resolution " Diplomatic Relations Among the Member States ", presented by the Delegation of Argentina.

(9) Vol. 166, pages 410 and 414.
(10) Adopted by a vote of 19 to 0.

STATEMENTS

STATEMENT OF CHILE

The Delegation of Chile abstained from voting on paragraphs 1 and 2 of the operative part of Resolution I, because of its doubts regarding the legality of the use of the term " aggression " in describing the acts. It voted negatively on paragraph 3, because it is firmly convinced that the measures agreed to are not appropriate to the particular case that has brought about the application of the Inter-American Treaty of Reciprocal Assistance(3). It also voted against paragraph 5, because it believes that there are discrepancies between the provisions of that paragraph and those of Article 51 of the Charter of the United Nations(11) and of Article 3 of the Rio Treaty(12). With reference to its abstention on paragraph 6, its attitude is consistent with the attitude taken with respect to the measures called for in paragraph 3.

The Delegation of Chile abstained from voting on the Declaration to the People of Cuba since, although agreeing with its basic content, it maintains relations with the Republic of Cuba and since it believes precisely in the principle of non-intervention, it has deemed it preferable not to give positive support to this resolution.

STATEMENT OF MEXICO

The Delegation of Mexico wishes to make it a matter of record in the Final Act, that the Government of Mexico:

1. Is convinced that the measures provided for in the third paragraph of the operative part of Resolution I (which the Delegation of Mexico voted against) lack foundation inasmuch as the Inter-American Treaty of Reciprocal Assistance does not envisage, in any part, the application of such measures in situations of the kind and nature dealt with by this Meeting of Consultation.

2. Makes a specific reservation to the fifth paragraph of the operative part of the same resolution since it endeavours to extend, in such a way as to be incompatible with the provisions of Articles 3 and 10 of the Inter-American Treaty of Reciprocal Assistance, the right to individual or collective self-defence.

(11) Vol. 145, page 805.
(12) Vol. 149, page 102.

3. Reiterates without reservations its " will to co-operate permanently in the fulfilment of the principles and purposes of a policy of peace ", to which " is essentially related " the " obligation of mutual assistance and common defence of the American Republics ", in accordance with the provisions of paragraph five of the Preamble of the Inter-American Treaty of Reciprocal Assistance.

JOINT COMMUNIQUE on the visit to China of Prince Sihanouk, Head of State of Cambodia.—Peking, 5th October, 1964(1)

(Extracts)

. . . Les dirigeants des deux pays sont vivement préoccupés par la gravité de la situation actuelle en Indochine. Les deux parties condamnent énergiquement l'impérialisme américain qui, en violation des accords de Genève de 1954 et de 1962(2), multiplie ses criminelles activités d'agression et d'intervention contre le Cambodge, le Laos et le Vietnam. Les Etats-Unis et leurs laquais se livrent depuis longtemps à la subversion au sabotage et à la provocation armée contre le Royaume du Cambodge, menaçant sérieusement la sécurité de ce pays. A la suite des échecs répétés essuyés au Sud-Vietnam, les Etats-Unis font d'intenses préparatifs en vue d'étendre la guerre et multiplient leurs provocations de guerre contre le Cambodge et la République Démocratique du Vietnam, rendant réel le danger de l'extension des flammes de la guerre en Indochine. Face à ces agissements, tous les pays et tous les peuples épris de paix du monde doivent maintenir une haute vigilance.

Les deux parties font remarquer que le problème indochinois ne peut être réglé que conformément aux accords de Genève de 1954 et de 1962 et par la convocation d'une conférence des pays concernés par lesdits accords, et qu'il n'y a aucun autre moyen possible. La tentative de l'impérialisme américain de conduire son agression et son intervention en Indochine par le truchement de l'ONU se heurtera à l'opposition énergique des peuples d'Indochine. Si l'impérialisme américain,

(1) Hsinhua News Agency, 5th October, 1964.
(2) *See* Vol. 161, page 359 and Vol. 166, page 720.

s'obstinant dans cette voie, étendait les flammes de la guerre, il finirait par supporter les conséquences de ses actes.

La partie chinoise réaffirme que le gouvernement chinois soutient résolument la proposition maintes fois réitérée par le gouvernement royal du Cambodge, demandant la convocation d'une conférence internationale pour garantir l'indépendance, la neutralité et l'intégrité territoriale du Cambodge. Les deux parties préconisent de convoquer dans les plus brefs délais une conférence des quatorze pays signataires des accords de Genève, pour rechercher une solution pacifique à la question laotienne, et estiment que les co-présidents de la conférence de Genève ont la responsabilité de prendre d'actives mesures pour hâter la convocation de ladite conférence. Les deux parties estiment qu'il appartient au peuple sud-vietnamien lui-même de régler le problème sud-vietnamien par voie de consultation, conformément aux dispositions des accords de Genève de 1954 et aux aspirations du peuple sub-vietnamien, en dehors de toute ingérence étrangère. Les Etats-Unis doivent procéder au retrait immédiat du Sud-Vietnam de tous leurs troupes, personnel et matériel militaires et démanteler toutes leurs bases militaires implantées dans cette région. Le Sud-Vietnam doit respecter la disposition des accords de Genève selon laquelle il ne doit entrer dans aucune alliance militaire, en vue de promouvoir la réunification pacifique du Vietnam.

Les deux parties font ressortir que la Chine et le Cambodge poursuivront leur étroite coopération avec tous les pays soucieux de donner une solution pacifique du problème indochinois, et exerceront leurs efforts en commun, afin d'amener un relâchement de la tension dans cette région.

Les deux parties saluent la deuxième conférence au sommet des Etats non-alignés qui se tient au Caire, et souhaitent que cette conférence contribue à combattre l'impéralisme, le colonialisme et le néo-colonialisme, à soutenir les mouvements d'indépendance nationale et à sauvegarder la paix mondiale.

Les deux parties affirment leur plein soutien au communiqué final de la réunion préparatoire de la deuxième conférence afro-asiatique tenue en avril dernier à Djakarta, et soulignent que cette réunion a jeté une bonne base pour la convocation de la deuxième conférence afro-asiatique. Elles sont convaincues que ladite conférence, qui doit se tenir au mois de

mars prochain, à Alger, maintiendra et développera l'esprit de Bandung, apportera une nouvelle contribution à la lutte contre l'impérialisme, le colonialisme et le néo-colonialisme, pour la conquête et la sauvegarde de l'indépendance nationale, pour le développement de l'économie et de la culture nationales, pour la promotion de la solidarité afro-asiatique et la défense de la paix mondiale.

Les deux parties constatent avec une grande satisfaction que les relations d'amitié et de coopération qui unissent la Chine et le Cambodge ont connu ces dernières années d'importants développements. Entre les deux pays, le soutien mutuel dans les affaires internationales et la coopération sur le plan économique et culturel n'ont jamais été aussi étroits. Les contacts entre les dirigeants des deux pays et les échanges amicaux entre les deux peuples sont aussi devenus chaque jour plus fréquents.

Le Royaume du Cambodge s'est opposé sans défaillance à la machination des " deux Chines " ; il a demandé activement le rétablissement de la République Populaire de Chine dans ses droits légitimes à l'ONU (l'Organisation des Nations Unies) et a oeuvré dans ce sens. Il convient tout particulièrement de signaler qu'à chaque campagne anti-chinoise lancée par l'impérialisme et ceux qui sont à sa remorque, Samdech Norodom Sihanouk, se faisant le champion de la justice, a vigoureusement réfuté leurs diffamations et calomnies contre la Chine, et défendu avec fermeté l'amitié sino-cambodgienne. Le gouvernement et le peuple chinois sont profondément reconnaissants de cet énergique et opportun soutien.

La partie cambodgienne réaffirme que le Royaume du Cambodge s'oppose fermement à l'occupation de Taiwan par l'impérialisme américain et que Taiwan, partie inaliénable du territoire chinois, doit être inconditionnellement et sans délai restitué à la Chine.

La partie chinoise réaffirme que le peuple chinois continuera de soutenir fermement et sans défaillance le peuple cambodgien dans sa juste lutte pour sauvegarder la souveraineté et l'intégrité territoriale de son pays, et de s'opposer à l'agression et à l'intervention de l'impérialisme américain et de ses laquais contre le Royaume du Cambodge. La Chine et le Cambodge sont des voisins amis et frères. Si le Royaume du Cambodge

épris de paix était victime d'une agression armée de l'extérieur, less 650 millions de Chinois lui apporteraient leur soutien total.

Le Prince Norodom Sihanouk, au nom du peuple, du gouvernement et de l'Etat khmers, exprime à la République Populaire de Chine, à son gouvernement et à son grand peuple sa plus profonde gratitude pour ce soutien total qui contribuera grandement à sauvegarder l'indépendance, la neutralité et l'intégrite territoriale du Royaume khmer en même temps qu'il hâtera le retour de la paix en Indochine.

La partie cambodgienne exprime toute sa reconnaissance à la République Populaire de Chine pour son soutien inconditionnel qui renforce la solidarité khméro-chinoise dans la lutte anti-impérialiste. . . .

Fait à Pékin le 5 octobre 1964

LIOU CHAO-CHI	NORODOM SIHANOUK
Président de la République Populaire de Chine	*Chef de l'Etat du Cambodge*

STATEMENT by the Chinese Government on the successful explosion of a Nuclear Device.—Peking, 16th October, 1964[1]

[Extracts]

China exploded an atom bomb at 15.00 hours on October 16, 1964, and thereby conducted successfully its first nuclear test. This is a major achievement of the Chinese people in their struggle to increase their national defence capability and oppose the United States imperialist policy of nuclear blackmail and nuclear threats.

To defend oneself is the inalienable right of every sovereign state. And to safeguard world peace is the common task of all peace-loving countries. China cannot remain idle and do nothing in the face of the ever increasing nuclear threat posed by the United States. China is forced to conduct nuclear tests and develop nuclear weapons.

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(1) New China News Agency, 16th October, 1964.

The atom bomb is a paper tiger. This famous saying by Chairman Mao Tse-tung is known to all. This was our view in the past and this is still our view at present. China is developing nuclear weapons not because we believe in the omnipotence of nuclear weapons and that China plans to use nuclear weapons. The truth is exactly to the contrary. In developing nuclear weapons, China's aim is to break the nuclear monopoly of the nuclear powers and to eliminate nuclear weapons.

The Chinese Government is loyal to Marxism-Leninism and proletarian internationalism. We believe in the people. It is the people who decide the outcome of a war, and not any weapon. The destiny of China is decided by the Chinese people, and the destiny of the world by the peoples of the world, and not by the nuclear weapon. The development of nuclear weapons by China is for defence and for protecting the Chinese people from the danger of the United States launching a nuclear war.

The Chinese Government hereby solemnly declares that China will never at any time and under any circumstances be the first to use nuclear weapons.

The Chinese people firmly support the struggles for liberation waged by all oppressed nations and people of the world. We are convinced that, by relying on their own struggles and also through mutual aid, the peoples of the world will certainly win victory. The mastering of the nuclear weapon by China is a great encouragement to the revolutionary peoples of the world in their struggles and a great contribution to the cause of defending world peace.

* * * * *

The Chinese Government hereby formally proposes to the governments of the world that a summit conference of all the countries of the world be convened to discuss the question of the complete prohibition and thorough destruction of nuclear weapons, and that as a first step, the summit conference should reach an agreement to the effect that the nuclear powers and those countries which will soon become nuclear powers undertake not to use nuclear weapons, neither to use them against non-nuclear countries and nuclear-free zones, nor against each other.

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TREATY of Friendship between the People's Republic of China and the Republic of the Congo (Brazzaville).—Peking, 2nd October, 1964[1]

The Chairman of the People's Republic of China and the President of the Republic of the Congo (Brazzaville),

Desiring to maintain and further develop the profound friendship between the People's Republic of China and the Republic of the Congo (Brazzaville), and

Being convinced that the strengthening of friendly cooperation between the People's Republic of China and the Republic of the Congo (Brazzaville) conforms to the fundamental interests of the peoples of the two countries, helps promote the friendship and solidarity of the peoples of Asia and Africa and conduces to world peace,

Have decided for this purpose to conclude the present Treaty in accordance with the Five Principles of Peaceful Coexistence.

ARTICLE I

The Contracting Parties shall maintain and develop the peaceful and frienly relations between the People's Republic of China and the Republic of the Congo (Brazzaville).

ARTICLE II

The Contracting Parties undertake to respect each other's sovereignty, independence and territorial integrity.

ARTICLE III

The Contracting Parties undertake to settle any issue that may arise between them by means of peaceful consultation.

ARTICLE IV

The Contracting Parties agree to develop the economic and cultural relations between the two countries in the spirit of friendly cooperation and in accordance with the principles of equality, mutual benefit and non-interference in each other's internal affairs.

(1) Published in the *People's Daily* (Peking) on 11th January, 1965.

ARTICLE V

The present Treaty is subject to ratification, and the instruments of ratification shall be exchanged in Brazzaville as soon as possible.

The present Treaty shall come into force on the date of exchange of the instruments of ratification and shall remain in force for a period of ten years. Unless either of the Contracting Parties gives to the other notice in writing to terminate the present Treaty one year before the expiration of this period, the present Treaty shall be automatically prolonged for another period of ten years, and shall thereafter be renewable accordingly.

Done in duplicate in Peking on October 2, 1964, in the Chinese and French languages, both texts being equally authentic.

Plenipotentiary of the People's Republic of China	Plenipotentiary of the Republic of the Congo (Brazzaville)
LIU SHAO-CHI	ALPHONSE MASSAMBA-DEBAT

JOINT COMMUNIQUE on the establishment of diplomatic relations between the People's Republic of China and France.—27th January, 1964[1]

Le gouvernement de la République française et le gouvernement de la République populaire de Chine ont décidé d'un commun accord d'établir des relations diplomatiques. Ils ont convenu à cet effet de désigner des ambassadeurs dans un délai de trois mois.

(1) *L'Année Politique*, 1964, page 419. The Communiqué was published simultaneously in Paris and Peking. The Nationalist Chinese authorities broke off diplomatic relations with France on 10th February, 1964.

TREATY of Amity between China (Taiwan) and Korea.— Seoul, 27th November, 1964[1]

[Ratifications exchanged at Taipei on 3rd December, 1965.]

The Republic of China and the Republic of Korea, being desirous of further strengthening the friendly relations that so happily exist between the two countries and promoting the mutual interests of their peoples, have decided to conclude a Treaty of Amity, based on the principles of equality and mutual respect of sovereignty, and have, for this purpose, appointed as their Plenipotentiaries:

[Here follow the names]

Who, having exchanged their full powers, found in good and due form, have agreed upon the following Articles:

ARTICLE I

There shall be perpetual peace and everlasting amity between the Republic of China and the Republic of Korea as well as between their respective peoples.

ARTICLE II

The High Contracting Parties declare their firm determination to work in close and friendly collaboration for the establishment and maintenance of a world peace based on principles of justice and equality and for the promotion of economic prosperity of both peoples.

ARTICLE III

Each of the High Contracting Parties shall have the right to send duly accredited diplomatic representatives, who shall enjoy, in the country of the Government to which they are accredited, all the rights, privileges, immunities and exemptions generally recognized by international law.

ARTICLE IV

Each of the High Contracting Parties shall have the right to send Consuls-General, Consuls, Vice-Consuls and Consular Agents to the localities within the territory of the Other which shall be determined by common accord. Such consular officers

(1) United Nations Treaty Series, Vol. 555, page 3.

shall exercise the functions and enjoy the treatment generally recognized by international practice. Prior to their assumption of office, they shall obtain from the Government of the country to which they are sent, exequaturs which are subject to withdrawal by the said Government.

ARTICLE V

1. The nationals of each of the High Contracting Parties shall be permitted to enter or leave, to travel, or reside in, the territory of the Other, in accordance with the laws and regulations of the Other which are applicable to all aliens.

2. The nationals of each of the High Contracting Parties shall enjoy in the territory of the Other the treatment no less favorable than the treatment accorded to the nationals of any third country in matters concerning their rights and liberties in accordance with, and under the full protection of, the laws and regulations of the Other.

3. To this end, the laws and regulations of each of the High Contracting Parties shall not establish discriminatory provisions against the nationals of the Other.

ARTICLE VI

Other relations that may take place and be established between the two High Contracting Parties shall be based on the principles of international law.

ARTICLE VII

The High Contracting Parties agree to conclude as soon as possible a treaty of commerce and navigation, which will tend to further develop their commercial relations.

ARTICLE VIII

The present Treaty is drawn up in duplicate in the Chinese, Korean and English languages. In case of any divergence of interpretation, the English text shall be authoritative.

ARTICLE IX

The present Treaty shall be ratified as soon as possible by the High Contracting Parties in accordance with their respective constitutional procedures, and shall enter into force on the day on which the exchange of ratifications is effected. The

instruments of ratification shall be exchanged in the city of Taipei, Republic of China.

In faith whereof, the above-mentioned Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

Done at Seoul, Republic of Korea on the Twenty-seventh day of the Eleventh month of the Fifty-third year of the Republic of China, corresponding to the 27th of November of the year 1964.

For the Republic of China:

LIANG HSU-CHAO

For the Republic of Korea:

TONG WON LEE

TREATY of Friendship between China and Yemen.—Peking, 9th June, 1964

(Translation)

The Chairman of the People's Republic of China and the President of the Arab Republic of the Yemen,

Desiring to consolidate and further develop the profound friendship between the People's Republic of China and the Arab Republic of the Yemen, and

Being convinced that the strengthening of the relations of friendship and co-operation between the People's Republic of China and the Arab Republic of the Yemen fully conforms to the fundamental interests of the peoples of the two countries and also conduces to the consolidation of peace in Asia and the world,

Have decided for this purpose to conclude the present treaty.

ARTICLE 1

The contracting parties shall maintain and develop the peaceful and friendly relations now existing between the People's Republic of China and the Arab Republic of the Yemen.

ARTICLE 2

The contracting parties decide to take the five principles of mutual respect for sovereignty and territorial integrity, mutual

non-aggression, non-interference in each other's internal affairs, equality and mutual benefit, and peaceful coexistence as the principles guiding the relations between the two countries.

The contracting parties shall settle any issue that may arise between them by means of peaceful negotiation.

ARTICLE 3

The contracting parties agree to develop the economic and cultural relations between the two countries in the spirit of equality, mutual benefit and friendly co-operation.

ARTICLE 4

The present treaty shall come into force on the day of signature and shall remain in force for a period of ten years.

Unless either of the contracting parties gives to the other notice in writing to terminate the present treaty one year before the expiration of this period, the present treaty shall remain in force, subject to the right of either party to terminate it ten years after it comes into force by giving to the other notice in writing of its intention to do so in which case the present treaty shall cease to be in force as from the day one year after the notice is given.

Upon the coming into force of the present treaty, the treaty of friendship between China and the Yemen signed in Peking, January 12, 1958[1] shall cease to be in force.

Done in Peking on 9th June, 1964 A.D. or the 28th day of Muharam, 1384 Hegira, in duplicate in the Chinese and Arabic languages, both texts being equally authentic. In case of any difference of interpretation, the Arabic text shall prevail.

Chairman of the People's Republic of China	President of the Arab Republic of the Yemen
LIU SHAO-CHI	ABDULLAH AL SALLAL

[NOTE.—Agreements on Cultural Co-operation and Economic and Technical Co-operation between China and the Yemen were concluded on the same date.]

(1) Vol. 163, page 871.

STATEMENT concerning the withdrawal of French Officers from North Atlantic Treaty Organisation Naval Command[1].—Paris, 28th April, 1964

On 27th April the head of the French delegation to the Standing Group of the Atlantic Alliance notified the decision of the French Government to withdraw French naval officers from the Naval Command bodies of the Alliance. French naval units had been progressively withdrawn from the Mediterranean, Atlantic and Channel Commands of NATO since 1959. It had become anomalous that officers of the French Navy should find themselves with command responsibilities in organisations which no longer had any authority over French units. The decision is accompanied by the establishment, in the event of war, of a close operational liaison between the French fleets and the other Allied fleets. Proposals to this effect have been made to the appropriate bodies of the Alliance.

(1) Reported by *Agence France Presse* on 28th April, 1964.

PRESS STATEMENT by President de Gaulle on Foreign Affairs.—Paris, 23rd July, 1964[1]

(Extract)

Unification of Europe

Quand on traite de l'Europe et quand on cherche à discerner ce qu'elle doit être, il faut toujours se représenter ce qu'est le monde.

A la fin de la dernière guerre mondiale, la répartition des forces sur la terre apparaissait comme aussi simple et aussi brutale que possible. On le vit, soudain, à Yalta. Seules l'Amérique et la Russie étaient restées des puissances et d'autant plus considérables que tout le reste se trouvait disloqué: les vaincus abîmés dans leur défaite sans conditions ; les vainqueurs européens profondément démolis.

Pour les pays du monde libre, que menaçait l'ambition des Soviets, la direction américaine pouvait, alors, sembler inévitable. Le Nouveau Monde était, entre eux tous, le grand vainqueur de la guerre. Sous le commandement des Etats-Unis,

(1) *L'Année Politique*, 1964, page 430.

détenteurs de bombes atomiques, l'Alliance atlantique assurait leur sécurité. Grâce au plan Marshall renaissait leur économie. Partout où les puissances coloniales opéraient, dans des conditions plus ou moins violentes, le transfert de leur souveraineté à des régimes autochtones, agissait, ouvertement ou non, la pression de Washington. En même temps, on voyait l'Amérique prendre à son compte la conduite politique et stratégique des affaires dans toutes les régions où le monde libre se trouvait en contact avec l'action directe ou indirecte des Soviets. Elle le faisait, soit unilatéralement, soit à travers des organismes internationaux locaux dont, en pratique, elle disposait: en Europe l'O.T.A.N., en Asie occidentale le C.E.N.T.O., en Asie du Sud-Est l'O.T.A.S.E., en Amérique l'O.E.A. ; soit grâce à sa suprématie dans le Pacifique nord ; soit enfin par des interventions militaires ou diplomatiques effectuées en Corée, ou au Congo, ou lors de l'affaire de Suez, par le truchement de l'O.N.U., que dominait sa prépondérance.

Il est clair que les choses ont changé. Les Etats occidentaux de notre ancien continent ont refait leur économie. Ils rétablissent leurs forces militaires. L'un d'eux, la France, accède à la puissance nucléaire. Surtout, ils ont pris conscience de leurs liens naturels. Bref, l'Europe de l'Ouest apparaît comme susceptible de constituer une entité capitale, pleine de valeurs et de moyens, capable de vivre sa vie, non point certes en opposition avec le Nouveau Monde, mais bien à côté de lui.

D'autre part, le monolithisme du monde totalitaire est en train de se disloquer. La Chine, séparée de Moscou, entre sur la scène du monde, colossale par sa masse, ses besoins et ses ressources, avide de progrès et de considération. L'Empire des Soviets, la dernière et la plus grande puissance coloniale de ce temps, voit contester, d'abord par les Chinois, la domination qu'il exerce sur d'immenses contrées de l'Asie et s'écarter peu à peu les satellites européens qu'il s'était, par la force, octroyés. En même temps, le régime communiste, en dépit de l'énorme effort qu'il mène en Russie depuis un demi-siècle et des résultats qu'il atteint dans certaines entreprises massives, aboutit à un échec quant au niveau de vie, à la satisfaction et à la dignité des hommes par rapport au système appliqué en Europe de l'Ouest, lequel combine le dirigisme avec la liberté. Enfin, de grandes aspirations et de grandes difficultés remuent profondément les Etats du " Tiers Monde ".

De toutes ces données nouvelles, enchevêtrées et compliquées, il résulte que la répartition de l'univers entre deux camps, respectivement menés par Washington et par Moscou, répond de moins en moins à la situation réelle. Vis-à-vis du monde totalitaire progressivement lézardé, ou des problèmes que pose la Chine, ou de la conduite à tenir à l'égard de maints pays d'Asie, d'Afrique, d'Amérique latine, ou de la refonte de l'Organisation des Nations Unies, telle qu'elle s'impose en conséquence, ou de l'aménagement mondial des échanges de toute nature, etc., il apparaît que l'Europe, à condition qu'elle le veuille, est désormais appelée à jouer un rôle qui soit le sien.

Sans doute convient-il qu'elle maintienne avec l'Amérique une alliance à laquelle, dans l'Atlantique nord, l'une et l'autre sont intéressées tant que durera la menace soviétique. Mais les raisons qui, pour l'Europe, faisaient de l'alliance une subordination s'effacent jour après jour. L'Europe doit prendre sa part de responsabilités. Tout indique, d'ailleurs, que cet avènement serait conforme à l'intérêt des Etats-Unis, quelles que puissent être leur valeur, leur puissance et leurs bonnes intentions. Car la multiplicité et la complexité des tâches dépassent dorénavant, et peut-être dangereusement, leurs moyens et leur capacité. C'est pourquoi eux-mêmes déclarent qu'ils souhaitent voir l'ancien continent s'unir et s'organiser, tandis que, parmi les Gaulois, les Germains et les Latins, beaucoup s'écrient: " Faisons l'Europe! ".

Mais quelle Europe? C'est là le débat. En effet, les commodités établies, les renoncements consentis, les arrière-pensées tenaces ne s'effacent pas aisément. Suivant nous, Français, il s'agit que l'Europe se fasse pour être européenne. Une Europe européenne signifie qu'elle existe par elle-même et pour elle-même, autrement dit qu'au milieu du monde elle ait sa propre politique. Or, justement, c'est cela que rejettent, consciemment ou inconsciemment, certains qui prétendent cependant vouloir qu'elle se réalise. Au fond, le fait que l'Europe, n'ayant pas de politique, resterait soumise à celle qui lui viendrait de l'autre bord de l'Atlantique leur paraît, aujourd'hui encore, normal et satisfaisant.

On a donc vu nombre d'esprits, souvent d'ailleurs valables et sincères, préconiser pour l'Europe non point une politique indépendante, qu'en vérité ils n'imaginent pas, mais une organisation inapte à en avoir une, rattachée dans ce domaine,

comme dans celui de la défense et celui de l'économie, à un système atlantique, c'est-à-dire américain, et subordonnée, par conséquent, à ce que les Etats-Unis appellent leur *leadership*. Cette organisation, qualifiée de fédérale, aurait eu comme fondements, d'une part, un aréopage de compétences soustraites à l'appartenance des Etats et qu'on eût baptisé " exécutif " ; d'autre part, un Parlement sans qualifications nationales et qu'on eût dit " législatif ". Sans doute, chacun de ces deux éléments aurait-il fourni ce à quoi il eût été approprié, savoir : des études pour l'aréopage et des débats pour le Parlement. Mais, à coup sûr, aucun des deux n'aurait fait ce qu'en somme on ne voulait pas qu'il fasse, c'est-à-dire une politique. Car, si la poltique doit évidemment tenir compte des débats et des études, elle est tout autre chose que des études et des débats.

La politique est une action, c'est-à-dire un ensemble de décisions que l'on prend, de choses que l'on fait, de risques que l'on assume, le tout avec l'appui d'un peuple. Seuls peuvent en être capables et responsables les gouvernements des nations. Il n'est certes pas interdit d'imaginer qu'un jour tous les peuples de notre continent n'en feront qu'un et qu'alors il pourrait y avoir un gouvernement de l'Europe, mais il serait dérisoire de faire comme si ce jour était venu.

C'est pourquoi la France, se refusant à laisser l'Europe s'enliser et à s'enliser elle-même dans une artificieuse entreprise qui eût dépouillé les Etats, égaré les peuples et empêché l'indépendance de notre continent, prit l'initiative de proposer à ses cinq partenaires du traité de Rome(2) un début d'organisation de leur coopération. Ainsi commencerait-on à vivre en commun, en attendant qu'à partir de là l'habitude et l'évolution resserrent peu à peu les liens. On sait que le gouvernement allemand donna son adhésion de principe à ce projet. On sait qu'une réunion des six Etats à Paris, puis une autre à Bonn parurent d'abord en voie d'aboutir, mais que Rome se refusa à convoquer l'entretien décisif ; ses objections, jointes à celles de La Haye et de Bruxelles, étant assez fortes pour tout arrêter. On sait enfin que les opposants invoquaient deux arguments, au demeurant contradictoires. Premier argument : le plan français, qui maintient la souveraineté des Etats, ne répond pas à notre conception d'une Europe ayant pour exécutif une commission d'experts et pour

(2) Vol. 163, page 206.

législatif un Parlement coupé des réalités nationales. Deuxième argument: bien que l'Angleterre n'accepte pas de perdre sa souveraineté, nous n'entrerons dans aucune organisation politique européenne dont elle ne ferait pas partie.

Le plan français d'organisation européenne n'étant pas adopté par l'Italie et par le Benelux ; d'autre part l'intégration ne pouvant pas aboutir à autre chose qu'au protectorat américain ; enfin la Grande-Bretagne ayant montré, au cours des interminables négociations de Bruxelles, qu'elle n'était pas en mesure d'accepter les règles économiques communes et, par l'accord de Nassau(3), que sa force de défense, notamment en matière nucléaire, ne serait pas européenne faute d'être autonome par rapport aux Etats-Unis, il apparut au gouvernement de la République fédérale d'Allemagne et au gouvernement de la République française que leur coopération bilatérale pourrait avoir quelque valeur. C'est alors que, sur la proposition du gouvernement allemand, fut conclu le traité du 22 janvier 1963(4) que j'eus l'honneur de signer, ici même, avec le chancelier Adenauer.

Franco-German Treaty

Cependant, il faut bien constater que, si le traité franco-allemand a permis dans quelques domaines des résultats de détail, s'il a amené les deux gouvernements et leurs administrations à pratiquer des contacts que, de notre côté, et à tout prendre, nous jugeons qu'ils peuvent être utiles et sont, en tout cas, fort agréables, il n'en est pas sorti, jusqu'à présent, une ligne de conduite commune.

Assurément, il n'y a pas et il ne peut y avoir d'opposition proprement dite entre Bonn et Paris. Mais, qu'il s'agisse de la solidarité effective de la France et de l'Allemagne quant à leur défense ; ou bien de l'organisation nouvelle à donner à l'Alliance atlantique ; ou bien de l'attitude à prendre et de l'action à exercer vis-à-vis de l'Est, avant tout des satellites de Moscou: ou bien, corrélativement, de la question des frontières et des nationalités en Europe centrale et orientale ou bien de la reconnaissance de la Chine et de l'œuvre diplomatique et économique qui peut s'offrir à l'Europe par rapport à ce grand peuple ; ou bien de la paix en Asie et, notamment,

(3) Vol. 166, page 643.
(4) Page 306.

en Indochine et en Indonésie ; ou bien de l'aide à apporter aux pays en voie de développement, en Afrique, en Asie, en Amérique latine ; ou bien de la mise sur pied du Marché Commun agricole et par conséquent de l'avenir de la Communauté des Six, on ne saurait dire que l'Allemagne et la France se soient encore accordées pour faire ensemble une politique, et on ne saurait contester que cela tient au fait que Bonn n'a pas cru, jusqu'à présent, que cette politique devrait être européenne et indépendante. Si cet état de choses devait durer, il risquerait à la longue d'en résulter, dans le peuple français du doute, dans le peuple allemand de l'inquiétude, et chez leurs quatre partenaires du traité de Rome une propension renforcée à en rester là où l'on est, en attendant, peut-être, qu'on se disperse.

Mais à travers le monde, la force des choses fait son œuvre. En voulant et en proposant l'organisation d'une Europe avant sa propre politique, la France est certaine de servir l'équilibre, la paix et le progrès de l'univers. Au surplus, elle est maintenant assez solide et sûre d'elle-même pour pouvoir être patiente, sauf grands changements extérieurs qui remettraient tout en cause et pourraient l'amener de ce fait, à modifier son orientation. D'ailleurs, lors de la réunion qui vient d'avoir lieu entre les gouvernements de Bonn et de Paris, M. le chancelier Erhard a laissé prévoir une prochaine initiative allemande. En attendant que le ciel se découvre, la France poursuit par ses propres moyens ce que peut et doit être une politique européenne et indépendante. Le fait est que, partout, les peuples s'en félicitent et qu'elle-même ne s'en trouve pas mal.

Construction of a national nuclear force

Il y a dix-neuf ans, soudain, une bombe atomique fit 100 000 morts à Hiroshima. Ensuite, à Nagasaki, une autre en fit autant. Du coup, on vit le Japon, grand peuple, courageux par excellence, disposant encore de puissants moyens militaires, dont la nature du territoire et le caractère national se prêtaient parfaitement bien à la défensive à outrance, capituler sans conditions, au point de se laisser entièrement occuper, gouverner, transformer même, par son ennemi.

Ainsi, s'est ouverte dans l'histoire de notre univers une phase complètement nouvelle quant à la sécurité des peuples par suite quant à leur politique et quant à leurs rapports

respectifs. Détenir l'arme atomique, c'est, pour un pays, être à même de réduire sans rémission une nation qui ne la détient pas. Mais c'est aussi dissuader toute nation qui la détient de procéder contre lui à une agression atomique. Car celle-ci consisterait à lancer la mort pour la recevoir aussitôt.

Comme l'Amérique et la Russie se sont dotées toutes les deux d'un tel armement, il existe entre elles une sorte d'équilibre automatique de dissuasion. Mais cet équilibre ne couvre réellement qu'elles-mêmes, et non les autres pays du monde, lors même qu'ils se trouvent liés à l'une ou à l'autre des deux colossales puissances. Car la cause et l'intégrité de chacun d'eux peuvent, éventuellement, ne pas sembler à leur grande alliée valoir la peine de se faire écraser en écrasant sa rivale. Et, pourtant, ceux qui sont menacés par l'ambition de l'un des deux géants sont amenés à s'accommoder, par rapport à l'autre, d'une dépendance stratégique et, de ce fait, politique où ils croient voir la seule chance de leur sécurité.

Certains ont pu imaginer que la perspective d'un conflit atomique serait à ce point redoutable que les Etats-Unis et la Russie renonceraient de concert à cette espèce d'armements. La vaine et interminable Conférence de Genève procédait de cette illusion. Mais, dans l'état présent du monde, l'hypothèse est invraisemblable. Le fait, pour l'Amérique et pour la Russie soviétique, de posséder leur armement nucléaire leur procure une telle sécurité et, d'autre part, leur donne à l'intérieur de leurs camps respectifs une telle raison d'exercer l'hégémonie qu'elles ne s'en déferont pas, pas plus qu'à leur place aucun Etat ne s'en déferait, quelles que soient son idéologie, sa nature et sa propagande. Il en résulte que les pays qui n'ont pas d'armement atomique croient devoir accepter une dépendance stratégique et, par conséquent, politique, par rapport à celui des deux géants qui ne les menace pas.

Dans ces conditions, la France, tout en déplorant que les deux géants en question ne désarment pas, sauf bien entendu sous la forme d'un accord momentané qui ne visait qu'un certain ralentissement du rythme de leur fabrication mais qui continue à leur permettre de garder et d'accroître leur gigantesque puissance de destruction, la France, dis-je, dès qu'elle a pu être elle-même, a jugé nécessaire d'entamer l'effort voulu pour devenir, à son tour, une puissance atomique. A

cet égard, elle subit, il est vrai, les conséquences du long retard que lui ont valu d'abord la guerre sous l'occupation, puis la reconstruction de tout ce qui était démoli sur son sol, enfin les atermoiements de son redressement politique, économique et financier. Encore, par comparaison avec les Etats-Unis et la Russie soviétique qui ont largement utilisé en leur temps le concours de savants et de techniciens européens, et avec la Grande-Bretagne qui a profité des expériences américaines, la France ne dispose que de capacités françaises. Enfin, il est clair que le total de nos moyens scientifiques, techniques et industriels est loin d'atteindre celui des deux géants. Cependant, nous avons pris la route. Nous avançons suivant notre plan. En même temps, la vaste activité de recherches, d'inventions, de réalisations qu'entraîne par lui-même le développement atomique introduit dans notre vie scientifique, technique et économique un ferment des plus efficaces. Et, voici qu'en ce moment même, nous accédons aux résultats. Notre première unité aérienne atomique devient opérationnelle cette année. En 1966, nous aurons assez de Mirage-IV et d'avions ravitailleurs pour pouvoir porter, d'un seul coup, à plusieurs milliers de kilomètres, des projectiles dont la puissance totale dépassera celle de 150 bombes Hiroshima. D'autre part, nous sommes à l'œuvre pour passer de la série " A " des projectiles à fission à la série " H " des projectiles à fusion, ceux-ci lancés soit à partir de sous-marins atomiques, soit à partir de navires de surface, soit à partir du sol. Aujourd'hui même le Premier Ministre va aller inspecter les sites lointains et isolés où, dans les meilleures conditions d'exécution et de sécurité, auront lieu, au moment voulu, les expériences nécessaires. Nous sommes en mesure de penser que, d'ici six ans, nos moyens de dissuasion atteindront une puissance totale instantanée de plus de 2 000 bombes Hiroshima. C'est ce que certains opposants, évidemment irréfléchis, nomment " la bombette de la France ".

La carrière de la dissuasion nous est donc désormais ouverte. Car le fait d'attaquer la France équivaudrait pour qui que ce soit à subir lui-même des destructions épouvantables. Sans doute les mégatonnes que nous pourrions lancer n'égaleraient pas en nombre celles qu'Américains et Russes sont en mesure de déchaîner. Mais, à partir d'une certaine capacité nucléaire

et pour ce qui concerne la défense directe de chacun, la proportion des moyens respectifs n'a plus de valeur absolue. En effet, puisqu'un homme et un pays ne peuvent mourir qu'une fois, la dissuasion existe dès lors qu'on a de quoi blesser à mort son éventuel agresseur, qu'on y est très résolu et que lui-même en est bien convaincu. C'est par là que l'armement moderne de la France non seulement constitue pour elle la garantie incomparable de sa sécurité, mais encore introduit dans un monde dangereux un élément nouveau et puissant de sagesse et de circonspection.

Cependant, notre avènement au rang de puissance atomique ne manque pas de susciter chez nous diverses oppositions. Pour réprouver notre force nouvelle se produit la classique alliance de l'éternelle démagogie et de l'éternelle routine, alliance qui fit jadis échouer la transformation de notre armée face aux ambitions de Bismarck et fut ainsi pour beaucoup dans notre défaite de 1870: alliance qui, avant 1914, nous priva d'artillerie lourde, faute de laquelle, au cours de la Grande Guerre, nos pertes humaines dépassèrent de loin celles de l'ennemi, jusqu'à ce qu'enfin nous avons pu, après trois années de combats épuisants, nous doter des canons nécessaires ; alliance qui, à la veille de la deuxième guerre mondiale, amena les pouvoirs publics et le commandement militaire à refuser la formation de la force mécanique cuirassée, tandis que l'Allemagne se donnait les Panzerdivisions, dont on sait quels furent les effets ; alliance qui, aujourd'hui, stigmatise à grands cris le prix, soi-disant démesuré, des armements atomiques, alors que ce prix ne dépasse pas annuellement la centième partie de notre revenu national, ni le quart de nos dépenses militaires ni la moitié de ce que nous payons aux pensionnés et retraités de l'Etat, ni le montant des prestations sociales versées aux exploitants agricoles, mais nous permet de diminuer de moitié les effectifs de notre armée et la durée du service militaire.

Pourtant, cette fois, l'opposition ne vient pas seulement d'un refus simpliste de réforme. Elle est, en effet, inspirée par les tenants de deux partis pris politiques, opposés sans doute, mais tendant tous les deux à l'effacement de la France sous l'hégémonie de tel ou tel Etat étranger. Ce sont, d'une part, ceux qui voudraient établir chez nous la servitude totalitaire et qui souhaitent, par conséquent nous voir privés des moyens

de nous défendre face à l'Est. Ce sont, d'autre part, les partisans du protectorat américain qu'alarme la perspective d'une France maîtresse d'elle-même vis-à-vis de ses alliés.

Mais je crois moins que jamais que ces objections, venues de deux horizons très différents, mais qui, les unes et les autres, procèdent de l'intention que notre pays soit subordonné, persuadent la nation française. Nous continuerons donc notre effort atomique, à court, à moyen et à long terme, convaincus d'aider ainsi au développement scientifique, technique et industriel de la nation, de renouveler l'âme et le corps de notre armée comme le commande l'époque moderne, de donner à la France les moyens de sa sécurité et de son indépendance, par là même ceux de son action au profit de l'équilibre et de la paix du monde.

Situation in South-East Asia

Les accords de Genève, conclus en 1954(5), mettaient un terme aux combats d'Indochine. A l'époque, tout le monde semblait le désirer sincèrement. Ces accords comportaient des dispositions diverses suivant chacun des pays en cause, mais ayant pour trait commun qu'elles excluaient absolument toute intervention extérieure. Le Cambodge s'engageait à n'entrer dans aucune alliance et à n'admettre sur son territoire aucune base. Le Laos devait interdire toute présence de troupes étrangères, en dehors d'une mission militaire française et d'un terrain d'aviation utilisé par la France à Seno. Les deux Viet-nam ne pouvaient s'allier avec qui que ce soit, ni introduire sur leur sol aucune force venue du dehors, ni recevoir d'armement qui augmenterait leur potentiel. En outre, des élections générales devaient avoir lieu au Viet-nam en 1956 en vue d'aboutir à l'institution d'un gouvernement démocratique et à la réunification.

Les accords de 1954 n'ont pas été longtemps appliqués. C'est le moins qu'on puisse en dire. Seul, le Cambodge a su et a pu, grâce à son unité nationale et à la façon très habile et très résolue dont il est conduit par son chef de l'Etat, rester jusqu'à présent intact, neutre et relativement paisible. Mais au Viet-nam, tout a concouru à ramener ce pays à la situation troublée dont il venait de sortir, tandis que le Laos se voyait gagner à son tour par des luttes intérieures accompagnées du dehors.

(5) *See* Vol. 161, page 359.

Pour ce qui est du Viet-nam il faut dire que l'existence d'un Etat communiste installé au Tonkin, d'où nos troupes étaient parties conformément aux accords, et la secousse provoquée dans le Sud par le retrait de notre administration et de nos forces, exposaient le pays à de nouvelles aventures. Il s'agissait de savoir s'il saurait trouver en lui-même une cohésion nationale et un solide gouvernement. C'est alors que les Américains arrivèrent, apportant leur aide, leur politique et leur autorité.

Les Etats-Unis, en effet, se tenaient partout dans le monde comme investis d'une charge de défense contre le communisme. Dès lors que le Viet-nam-Sud en courait le risque, puisque le régime établi dans le Nord visait à s'y imposer, Washington voulait mettre cet Etat en mesure de se protéger. On peut ajouter, sans vouloir aucunement les désobliger, que leur certitude de répondre à une sorte de vocation, l'aversion qu'ils portaient à l'égard de toute œuvre coloniale qui n'avait pas été la leur, enfin le désir naturel chez un peuple aussi puissant de s'assurer de positions nouvelles, déterminaient les Américains à prendre notre place en Indochine.

On sait que, dès 1954, ils adoptèrent le gouvernement de Diem, que Diem observa aussitôt et malheureusement une attitude malveillante à notre égard, que, l'empereur Bao-Daï une fois parti, il se substitua à lui, qu'il ne fit pas procéder aux élections prévues et, enfin, qu'en tous domaines, en particulier ceux de la défense, de l'économie et de l'administration, il se plaça dans l'orbite de Washington. Mais, comme cette politique était de plus en plus impopulaire, le jour vint où Diem essaya de s'en dégager, tandis que les Américains se prenaient à douter de lui. Alors un putsch militaire supprima le président et lui donna un successeur. Après quoi, un nouveau putsch en investit un autre, celui-ci étant étroitement lié à l'action de guerre que soutiennent, encadrent, financent et arment, les Etats-Unis.

Action de guerre, en effet, car si les éléments subversifs du Vietcong avaient disparu du Viet-nam-Sud après les accords de 1954, ils y reparaissaient sous prétexte et à mesure qu'on ne les appliquait pas. La guérilla et des combats livrés par unités constituées s'étendent de plus en plus sur le territoire. En même temps, les populations, quelle que soit leur opinion au sujet du communisme, sont de moins en moins portées à

soutenir une cause et une autorité qui, à leurs yeux, se confondent avec celles d'un Etat étranger. Il semble donc que, sur place, une issue militaire ne soit pas à envisager. Certains imaginent, il est vrai, que les Américains pourraient aller la chercher ailleurs en portant la guerre vers le Nord aussi loin que ce serait nécessaire. Mais, s'ils disposent assurément de tous les moyens voulus, il et difficile d'admettre qu'ils veuillent assumer l'énorme aventure d'un conflit généralisé.

Faute que la guerre puisse trancher, c'est donc la paix qu'il faut faire. Or celle-ci implique qu'on en revienne à ce à quoi on s'était engagé, il y a maintenant dix ans, et que, cette fois, on s'y conforme, autrement dit qu'aux Viet-nam-Nord et Sud, au Cambodge et au Laos, aucune puissance étrangère n'intervienne plus en rien dans les affaires de ces pays infortunés. Une réunion du même genre et comprenant, en principe, les mêmes participants que naguère la Conférence de Genève, serait certainement qualifiée pour en décider et organiser un contrôle qui soit impartial. C'est cela que la France propose à tous les Etats intéressés, certaine, qu'à moins de plonger l'Asie d'abord et, sans doute, le monde ensuite dans de très graves épreuves, il faudra bien en venir là ; le plus tôt étant le mieux.

Cette réunion, où chacun devrait se rendre sans préalable ni récrimination, se saisirait successivement de ce qui a trait au Laos, au Cambodge et au Viet-nam dans le domaine international, et dont l'essentiel s'appelle, par avance, leur neutralité. On ne voit pas d'autre chemin qui puisse conduire à la paix le Sud-Est asiatique, pourvu qu'une fois l'accord théorique conclu, s'il devait l'être, deux conditions pratiques soient réalisées. La première, c'est que les puissances qui portent, directement ou indirectement, une responsabilité dans ce que fut ou dans ce qu'est le sort de l'Indochine et qui se nomment : la France, la Chine, l'Union soviétique et l'Amérique, soient effectivement résolues à ne plus y être engagées. La seconde, c'est qu'une aide économique et technique massive soit accordée à l'ensemble indochinois par les Etats qui en ont les moyens, afin que le développement remplace le déchirement.

La France, pour sa part, est prête à observer ces deux conditions.

* * * * * *

AMENDMENT to Agreement for Co-operation concerning the Civil Uses of Atomic Energy between France and the United States of America.—Washington, 22nd June, 1964[1]

The Government of the United States of America and the Government of the French Republic,

Desiring to amend further the Agreement for Cooperation Concerning the Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of the French Republic, signed at Washington on June 19, 1956[2] (hereinafter referred to as the Agreement for Cooperation), as amended by the Agreements signed at Washington on July 3, 1957, July 22, 1959, September 30, 1960, and June 22, 1962 ;[3]

Have agreed as follows:

ARTICLE I

Paragraph C.1. of Article VIII of the Agreement for Cooperation, as amended, is further amended by deleting the first sentence thereof and substituting the following:

" 1. The Commission may, upon request and in its discretion, make available a portion of the enriched uranium supplied hereunder as material enriched to more than twenty percent (20%) in the isotope U–235, when there is a technical or economical justification for such material, for use in (*a*) research reactors, materials testing reactors and reactor experiments, each capable of operating with a fuel load not to exceed 8 kilograms of U–235 contained in uranium and (*b*) criticality experiments, provided that not more than 100 kilograms of U–235 in the aggregate will be available for such criticality experiments."

ARTICLE II

This Amendment, which shall be regarded as an integral part of the Agreement for Cooperation, as amended, shall enter into force[4] on the day on which each Government shall have

(1) U.S. *Treaties and other International Acts Series* No. 5644.
(2) Vol. 162, page 964.
(3) Vol. 163, page 407; Vol. 164, page 285; Vol. 164, page 680 and Vol. 166, page 926.
(4) 31st August, 1964.

received from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of this Amendment.

In witness whereof, the undersigned, duly authorized, have signed this Amendment.

Done at Washington, in duplicate, in the English and French languages, both equally authentic, this 22nd day of June 1964.

For the Government of the United States of America:

WILLIAM R. TYLER

GLENN T. SEABORG

For the Government of the Republic of France:

HERVÉ ALPHAND

STATEMENT by the Government of the Federal Republic of Germany appealing for material on Nazi crimes.—Bonn, 20th November, 1964[1]

The overwhelming majority of Nazi crimes have been tried by Allied and German courts. In the case of a number of offences, proceedings have been initiated. In their determination to expiate Nazi crimes and to restore violated law and in the light of the fact that the period of limitation of crimes committed before May 9, 1945, cannot be extended for constitutional reasons, the Government of the Federal Republic of Germany call upon all Governments, organisations and individual persons at home and abroad to make available without delay originals, photostat copies or microfilms of any material they hold on crimes or perpetrators so far not known in the Federal Republic, to the *Zentralstelle der Landesjustizverwaltungen zur Verfolgung nationalsozialistischer Gewalttaten,* Ludwigsburg, Schorndorferstrasse 28. All missions of the Federal Republic of Germany abroad will accept and forward any material destined for the Zentralstelle.

(1) Made following a Resolution passed by the Bundestag of the Federal Republic of Germany.

TREATY of Friendship, Mutual Assistance and Co-operation between the German Democratic Republic and the Soviet Union.—Berlin, 12th June, 1964[1]

[Ratifications exchanged at Berlin on 29th September, 1964.]

(Translation)

The Union of Soviet Socialist Republics and the German Democratic Republic,

Desiring further to develop and to strengthen brotherly friendship between the Union of Soviet Socialist Republics and the German Democratic Republic, in accordance with the fundamental interests of the peoples of both countries and of the socialist community as a whole,

Taking as their basis the fraternal and all-embracing co-operation which is the cornerstone of the policy governing relations between the two States and which has become still closer and more cordial since the conclusion of the Treaty of 20 September 1955[2] concerning relations between the Union of Soviet Socialist Republics and the German Democratic Republic,

Being firmly resolved to help to consolidate peace in Europe and throughout the world and consistently to pursue a policy of peaceful coexistence among States with different social systems,

Determined to combine their efforts in order to combat effectively, with the support of the Warsaw Treaty of Friendship, Co-operation and Mutual Assistance of 14 May 1955[3], the threat to international peace and security presented by revanchist and military forces seeking a revision of the outcome of the Second World War, and to defend the territorial integrity and sovereignty of both States from any attack,

Being at one in the conviction that the first workers' and peasants' State in the history of Germany—the German Democratic Republic, embodying the principles of the Potsdam Agreement[4]—is pursuing a peaceful course and is an important factor in guaranteeing security in Europe and averting the threat of war,

(1) United Nations Treaty Series, Vol. 553, page 249.
(2) Vol. 162, page 479.
(3) Vol. 162, page 390.
(4) Vol. 145, page 852.

Desiring to facilitate the conclusion of a German peace treaty and to bring about the unification of Germany on a peaceful and democratic basis,

Guided by the Purposes and Principles of the Charter of the United Nations,

Have agreed on the following provisions:

ARTICLE 1

The High Contracting Parties shall, on the basis of full equality of rights, mutual respect for State sovereignty, non-intervention in each other's domestic affairs and the lofty principles of socialist internationalism, continue to develop and strengthen their ties of friendship and close co-operation in all fields, realizing the principles of mutual benefit and mutual fraternal assistance.

ARTICLE 2

In the interests of peace and of the peaceful future of peoples, including the German people, the High Contracting Parties shall steadfastly strive for the elimination of the remaining vestiges of the Second World War, for the conclusion of a German peace treaty and for the establishment of normal conditions in West Berlin on the basis thereof.

The Parties proceed on the assumption that, pending the conclusion of a German peace treaty, the United States of America, the United Kingdom and France will continue to bear their responsibility for the fulfilment in the territory of the Federal Republic of Germany of the requirements and obligations jointly undertaken by the Governments of the four Powers under the Potsdam and other international agreements designed to eradicate German militarism and nazism and to prevent German aggression.

ARTICLE 3

The High Contracting Parties shall make a concerted effort to ensure peace and security in Europe and throughout the world in accordance with the Purposes and Principles of the Charter of the United Nations. They shall do all in their power to promote the solution, on the basis of the principles of peaceful coexistence, of such basic international problems as general and complete disarmament, including the adoption of partial measures contributing to the cessation of the armaments

race and the relaxation of international tensions, the elimination of colonialism, the settlement of territorial and frontier disputes between States by peaceful means, and other problems.

ARTICLE 4

In view of the existing danger of an aggressive war on the part of militaristic and revanchist forces, the High Contracting Parties solemnly declare that the inviolability of the State frontiers of the German Democratic Republic is a basic factor in European security. They reaffirm their determination, in keeping with the Warsaw Treaty of Friendship, Co-operation and Mutual Assistance, jointly to guarantee the inviolability of these frontiers.

The High Contracting Parties shall also take all necessary measures to prevent aggression on the part of the forces of militarism and revanchism, which are seeking a revision of the outcome of the Second World War.

ARTICLE 5

In the event of an armed attack in Europe on either of the High Contracting Parties by any State or group of States, the other High Contracting Party shall afford it immediate assistance in accordance with the provisions of the Warsaw Treaty of Friendship, Co-operation and Mutual Assistance.

The measures taken shall be reported to the Security Council, in accordance with the provisions of the United Nations Charter. These measures shall be discontinued as soon as the Security Council takes the necessary action to restore and maintain international peace and security.

ARTICLE 6

The High Contracting Parties shall regard West Berlin as an independent political unit.

ARTICLE 7

The High Contracting Parties reaffirm their opinion that, in view of the existence of two sovereign German States—the German Democratic Republic and the Federal Republic of Germany—the establishment of a peace-loving, democratic and unified German State can be achieved only by means of negotiations conducted on a footing of equality and by agreement between the two sovereign German States.

ARTICLE 8

On the basis of mutual benefit and disinterested fraternal co-operation, in accordance with the principles of the Council for Mutual Economic Assistance(5), the High Contracting Parties shall develop and strengthen to the utmost, the economic, scientific and technical relations between the two States, promote, in accordance with the principles of the international socialist division of labour, the co-ordination of economic plans and specialization and co-operation in production, and ensure maximum productivity by bringing the national economies of the two States into closer harmony.

The Parties shall continue to develop their relations in the cultural and social fields and also in the fields of sport and tourism.

ARTICLE 9

This Treaty shall not affect the rights or obligations of the Parties under bilateral or other international agreements at present in force, including the Potsdam Agreement.

ARTICLE 10

This Treaty shall remain in force for a period of twenty years from the date of its entry into force. Unless either of the High Contracting Parties gives notice of termination twelve months before the expiration of that term, the Treaty shall remain in force for a further ten years.

In the event of the establishment of a unified, democratic and peace-loving German State or of the conclusion of a German peace treaty, this Treaty may be reviewed before the expiration of the twenty-year term at the request of either of the High Contracting Parties.

ARTICLE 11

This Treaty is subject to ratification and shall enter into force upon the exchange of the instruments of ratification, which shall take place in the near future at Berlin.

(5) *See* Vol. 164, page 257.

Done at Moscow on 12 June 1964, in duplicate, in the Russian and German languages, both texts being equally authentic.

For the Union of Soviet Socialist Republics:	For the German Democratic Republic:
The Chairman of the Council of Ministers of the Union of Soviet Socialist Republics	The Chairman of the State Council of the German Democratic Republic
N. S. KHRUSHCHEV	W. ULBRICHT

JOINT COMMUNIQUE on talks between President Johnson and Chancellor Erhard.—Washington, 12th June, 1964(1)

President Johnson and Chancellor Erhard met on June 12 in Washington. They were accompanied by Secretary Rusk, Foreign Minister [Gerhard] Schroeder and other advisers.

The President expressed his pleasure that the Chancellor had come to Washington following his official visit to Canada and receipt of an honorary degree at Harvard, thus providing an opportunity to review the international situation and to discuss areas of mutual interest and concern to the United States and the Federal Republic of Germany.

The Chancellor and the President discussed the need for finding a just and peaceful solution to the problem of Germany and Berlin and agreed that efforts to find such a solution must continue. They agreed that a solution must be based upon the right of self-determination and take into consideration the security of Europe as a whole. Every suitable opportunity should be used to bring nearer the reunification of Germany through self-determination. So long as Germany remains divided, Europe will not achieve stability.

The President and the Chancellor noted the Soviet Government's announcement that it signed today [June 12] a Treaty of Friendship, Mutual Assistance and Cooperation(2) with the so-called German Democratic Republic. They agreed that no unilateral move by the Soviet Union could in any way affect

(1) U.S. Department of State *Bulletin*, 29th June, 1964, page 992.
(2) Page 694.

the rights of the Three Western Powers or modify the obligations and responsibilities of the Soviet Union with respect to Germany and Berlin. They stressed that the Soviet Government would be solely responsible for the consequences of any attempt at interference with Allied rights that might result from implementation of the new treaty. They also reaffirmed that until Germany is unified, only the freely elected and legitimately constituted government of the Federal Republic of Germany and no one else can speak for the German people.

The President restated the determination of the United States to carry out fully its commitments with respect to Berlin, including the maintenance of the right of free access to West Berlin and the continued freedom and viability of the city.

The President and Chancellor stressed the importance of improving relations with the nations of Eastern Europe. The President said that the United States fully supports the actions of the Federal Republic directed toward this goal. They also expressed the conviction that measures designed to reduce the threat of war and to bring about arms control serve to promote the goal of German reunification.

The President and the Chancellor expressed satisfaction at the progress achieved by the nations of the Atlantic Community in developing political stability as well as economic and military strength. They reaffirmed the continuing importance of NATO(3) to the defense and cohesion of the West. They were agreed that the proposed multilateral force would make a significant addition to this military and political strength and that efforts should be continued to ready an agreement for signature by the end of the year. The Chancellor stressed his interest in the promotion of greater political cooperation between the nations of Western Europe.

In their review of the international scene, the President described the serious situation faced by the United States and the free world in Southeast Asia. He and the Chancellor agreed that the Communist regime in Hanoi must cease its aggression in South Viet-Nam and Laos. The two governments also agreed that the Government of the Republic of Viet-Nam must be fully supported in its resistance against

(3) Vol. 154, page 479.

the Viet Cong. The Chancellor stated that his government would increase assistance to South Viet-Nam in the political and economic fields.

They reviewed the Kennedy Round negotiations underway at Geneva and were agreed that expanded trade in all commodities and substantial tariff reductions would be in the interest of all the nations of the free world.

They were agreed on the vital importance of sustaining the flow of economic aid to the developing countries in order to support the efforts of these countries to maintain their independence and to modernize and expand their economies to the point where further growth could be sustained without extraordinary foreign assistance. They were of the view that strengthening the private sector of the developing economies can play a key role in the process and they recognize the need for official aid as well as for foreign private investment to promote this objective. The President stressed his intention to sustain the level of United States aid commitments and expenditures. The Chancellor in turn noted the substantial increase in total aid commitments of the Federal Republic of Germany in 1963 and stated that every effort will be made to increase the level of these commitments this year and next.

The President and the Chancellor reviewed also the constructive steps taken so far by Germany to help reduce its large balance of payments surplus. The President told the Chancellor of his appreciation of German support in helping the United States meet its balance of payments problems.

The President and the Chancellor were both happy to have had this opportunity to consult on common problems, as part of the continuing process of full consultation so indispensable to the maintenance of close relations between the two countries. They were gratified to reaffirm that their governments have established a solid basis of cooperation and mutual understanding in their common quest for peace.

STATEMENT by the Prime Minister, Mr. Eshkol, on the reaction of the Israeli Government to the decisions of the Arab Summit Conference.—Tel Aviv, 20th January, 1964

Last week thirteen Arab Heads of State and representatives met in Cairo at the invitation of the Egyptian President in order to discuss ways of sabotaging the State of Israel's water plan. At the end of the conference a statement was issued(1) containing attacks and threats against Israel, and reporting the adoption of decisions in both the military and the technical spheres.

Whatever was obscure in the statement was spelled out later by the Secretary-General of the Arab League, who announced the establishment of military, administrative and financial machinery for the execution of what he called " the Arab plan for the Jordan waters "—which means the diversion of the headwaters of the Jordan to prevent their waters flowing into Israeli territory, with the further purpose of increasing the salinity of the water that will remain.

The deliberations of the conference were held *in camera,* but before the first session was closed to the public, the President of Egypt managed to reveal the gist of several decisions adopted in 1960 and 1961 by the Council of the Arab League, the League's Defence Council and the Supreme Council of the Arab General Staffs. These decisions dealt with military and engineering measures designed to prevent the execution of Israel's water plan. The President of Egypt expressly stated that the measures planned in 1960-61 were to have been based on united military operations by the Arab States against Israel.

From the Egyptian President's statement it is clear beyond a shadow of a doubt that if these military and engineering plans detrimental to Israel's rights and security were not carried out, it was only because the practical conditions were lacking.

A few days have passed since the conference of the Arab Heads of State ended, and it is important that the world be aware of the deplorable significance of the decisions it adopted and the statements it issued. All the States that took part in the conference are members of the United Nations. Under the Charter of the United Nations(2) it is their duty to refrain

(1) Page 655.
(2) Vol. 145, page 805.

not only from the use of force but from any threat of force against any other country.

Compliance with these principles of the United Nations Charter is humanity's only hope of emerging from the nightmare of war and building a better world founded on justice, law and peace. In recent times the world has become more sensitive to the vital need for a relaxation of world and regional tensions and the avoidance of the danger of armed violence. The aspiration for peace in our time comes from the hearts of all mankind. It is common to all nations and all continents. And it is precisely now that the heads of the Arab States openly and expressly proclaim that they planned acts of aggression against another State entitled to equal rights in the family of nations, and announce their intentions to revive these plans and carry them into effect.

Is it not clear that those who make such proclamations regard the Charter of the United Nations as no more than a worthless scrap of paper? Has it not been demonstrated afresh that the signatures of Egypt and the other Arab countries on the Charter of the United Nations are of no value whatsoever?

We find ourselves confronted with a doctrine of international relations to which there is no parallel in our generation. It is contrary to all law and morality. It makes a mockery of the repeated declarations by the Egyptian President and his colleagues of their devotion to peace and world disarmament. It runs contrary to the mainstream of international thought in our days—which has as its central objective the relaxation of tension and the strengthening of peace.

While it is not yet clear what the practical results of the Cairo conference will be, it has already brought out into the clear light of day aggressive and destructive aims that should shock the conscience of every lover of peace. Thirteen Heads of State were moved to assemble and deliberate together. How deplorable it is that the purpose of their meeting was not the social and economic advancement of their tens of millions of people. How horrifying that the only aim that could bring them together under one roof was their lust for aggression against a neighbouring State.

The Cairo conference has laid bare a general posture of hostility to Israel; but the main subject with which it dealt

was our country's National Water Scheme. Here the conference arrived at a dual conclusion: it painted a distorted picture of our legal and constructive enterprise; and it proclaimed a plan of sabotage, which is based entirely on negativeness and envy, violation of law and deliberate aggression.

Arab propaganda seeks to describe Israel's water project as a unilateral and illegal scheme, which violates the rights of the Arab countries. There is not a grain of truth in this picture. This campaign of distortion deliberately passes over the history of the scheme, its legal basis, and the true facts.

Eleven years ago the Arab States and Israel agreed to the mediation of the President of the United States, who sent the late Ambassador Eric Johnston to this part of the world as his Special Envoy to work out an agreed regional plan for the utilization of the waters of the Jordan, the Yarmuk, and their tributaries. At the opening of the negotiations, the Arab countries on the one hand and Israel on the other submitted separate plans for the allocation of the Jordan and the Yarmuk waters.

For almost three years Ambassador Johnston conducted parallel and co-ordinated negotiations with the Arab Governments and with Israel.

After prolonged and exhaustive discussions, in which Arab, Israeli and international engineers took part, Mr. Johnston produced a unified regional plan which was based upon accepted rules and principles of international law and procedure. This plan assured Syria and Lebanon of all the quantities of water demanded by them in the Arab plan, without any cuts whatsoever. The unified plan allocated to the Kingdom of Jordan all the water required by it for the irrigation of its irrigable areas.

This allocation was based on a detailed, objective survey. In other words, the needs of Jordan, Syria and Lebanon were fully satisfied by the unified plan. And indeed, as Ambassador Johnston testified in an article published in the *New York Times* on August 10, 1958, the Arab countries and Israel agreed to the unified plan from every point of view connected with its technical and other merits. In October 1955, however, the Arab League decided against ratification of the plan,

not for any reasons pertaining to the quantities of water allocated, but on the deliberate principle of opposing any co-operation—even indirect—with Israel.

But the three years of negotiation were not in vain. An agreed allocation of water had been determined, which was founded on criteria accepted the world over, and against which the parties concerned had made no objection. And now, in 1964—eleven years after the beginning of the negotiations over the unified plan—Israel will begin to draw its share of water from Lake Kinneret [Sea of Galilee or Lake Tiberias] in accordance with this plan.

We have undertaken to remain within the framework of the quantities specified in the unified plan—and we shall honour this undertaking. According to the principles of international law governing water questions, the refusal of one party to reach agreement with a second party does not give the party that refused the right to prevent its neighbour drawing its reasonable share from a river flowing through the territories of a number of states. The accepted law pertaining to the allocation of water does not recognize the right of veto or the right to compel the second party to allow its water to run to waste.

Israel will not be the first country to draw water from the Jordan-Yarmuk system. For the past two years the Kingdom of Jordan has been drawing considerable quantities of water from this system in the framework of its Yarmuk plan. This plan enjoys the support of international development agencies, which aim at advancing the complete utilization of water resources in every country, in pursuit of the goal of comprehensive regional development. Syria and Lebanon are also drawing all their requirements from the headwaters of the Jordan.

This, then, is the situation : the Arab countries are utilizing the Jordan-Yarmuk system to meet all their needs, while they seek to prevent Israel drawing her share from this network. They believe, apparently, that what is permissible to them should be forbidden to Israel. Their aim is to injure Israel—even at the cost of injury to themselves. They wish to convince the world that, in the name of hostility to Israel, they are entitled to prevent the flow of the Jordan headwaters in their natural channels in Israel's territory. I note with satisfaction that the world in general has not been convinced by this theory

of hostility and hatred. It is becoming ever more clear to the world that the arguments of the Arab countries have nothing to do with water, but are meant to deny Israel's right to exist.

In closing, I wish to clarify the position of the Government of Israel.

Israel will draw water from Lake Kinneret within the limits of the quantities laid down in the unified plan.

Israel will oppose unilateral and illegal measures by the Arab States and will act to protect her vital rights.

We believe that world opinion will not be misled by malicious mis-statements and will reject the campaign of incitement and threats against a legitimate and constructive development project. This area needs the benefits that will flow from the waters, and not incitement to bloodshed ; it needs economic development, not barren strife ; co-operation, not envious hostility ; the utilization—not the waste—of its water resources ; the advancement of peace and not the fomenting of war.

The more firmly world public opinion rejects hostility and aggression, and encourages useful and constructive development, the more it will help the Arab Governments to abandon a policy of reckless adventurism, and will help our area to advance along the road of progress, constructive endeavour and peace.

STATEMENT by the Government of Israel on the Declaration of the Arab Summit Conference.—Tel Aviv, 13th September, 1964

At its meeting this morning, the Cabinet held a preliminary discussion on the conclusions of the meeting of Arab heads of state at Alexandria, and on the announcements issued at its conclusion. The government spokesman emphasised two passages in the joint statement published after the conference(1) :

1. The conference decided unanimously, on the initiative of Nasser, to establish as its objective " the liberation of Palestine from Zionist imperialism ". It also resolved to carry out a common programme of action for the fulfilment of this aim.

(1) Page 658.

Here we have a declaration by 13 states, members of the United Nations, announcing that it is their objective to attempt to destroy another state, also a member of the United Nations, and to plan a comprehensive military attack against Israel.

The state of Israel is of course resolved to repel and thwart any aggression against her. Nevertheless, peace-loving states in the world, the United Nations and enlightened public opinion are surely not entitled to reconcile themselves to public announcements of aggressive intent and to declarations which violate the purpose of the United Nations Charter and the accepted principles governing relations between states. Moreover, these aggressive declarations are made at a time when the world is engaged in attempts to increase understanding, to diminish international tension, and to find peaceful solutions for regional disputes. The world would do well not to revert to the attitude of complacency, silence and lack of concern which it once evinced towards threats of aggression and war, accompanied by political and military preparations aimed at translating the threats into action.

2. The Alexandria conference adopted a resolution concerning the diversion of the upper tributaries of the Jordan. These resolutions promise " the implementation of Arab plans, especially in the military and technical fields, including the commencement of work of a revolutionary character."

In this connection the government of Israel reiterates its attitude on this subject as expressed by the Prime Minister in his statement to the Knesset on 20th January, 1964(2):— " Israel will draw water from Lake Kinneret [Sea of Galilee] within the quantities allotted her in the Unified Plan. Israel will oppose unilateral and illegal measures by Arab countries, and will act for the preservation of her vital rights. In the measure that world public opinion rejects councils of hostility and aggression, and encourages positive and constructive development, it will assist the Arab governments to abandon a policy of dangerous adventure and will assist our region to move forward on a path of constructive progress and peace."

(2) Page 701.

STATEMENT on the resignation of Mr. N. S. Khrushchev, Chairman of the Council of Ministers of the Union of Soviet Socialist Republics.—Moscow, 16th October, 1964[1]

The Presidium of the U.S.S.R. Supreme Soviet met on 15th October, with Comrade A. I. Mikoyan, President of the Presidium of the U.S.S.R. Supreme Soviet in the chair.

The Presidium of the U.S.S.R. Supreme Soviet discussed the question of the Chairman of the U.S.S.R. Council of Ministers.

The Presidium of the U.S.S.R. Supreme Soviet granted Nikita Sergeyevich Khrushchev's request that he be relieved of the duties of Chairman of the U.S.S.R. Council of Ministers in view of his advanced age and the deterioration of his health.

The Presidium of the U.S.S.R. Supreme Soviet appointed Comrade Alexei Nikolayevich Kosygin as Chairman of the Council of Ministers of the U.S.S.R., releasing him from his duties as First Vice-Chairman of the U.S.S.R. Council of Ministers.

The decrees of the Presidium of the U.S.S.R. Supreme Soviet on the release of Comrade N. S. Khrushchev from his duties as Chairman of the U.S.S.R. Council of Ministers and on the appointment of Comrade A. N. Kosygin as Chairman of the U.S.S.R. Council of Ministers were adopted unanimously by the members of the Presidium of the U.S.S.R. Supreme Soviet.

The members of the Presidium of the U.S.S.R. Supreme Soviet warmly congratulated Comrade Kosygin on his appointment to the post of Chairman of the U.S.S.R. Council of Ministers.

Comrade Kosygin heartily thanked the central committee of the Communist Party of the Soviet Union and the Presidium of the Supreme Soviet of the U.S.S.R. for the confidence shown in him and gave an assurance that he would do his utmost to discharge his duties.

(1) *Soviet News*, 16th October, 1964. The Soviet News Agency, Tass, issued this announcement shortly after midnight (Moscow time) on the night of 15th/16th October, 1964.

PROTOCOL to the Consular Convention between the Soviet Union and the United States.—Moscow, 1st June, 1964[1]

1. It is agreed between the Contracting Parties that the notification of a consular officer of the arrest or detention in other form of a national of the sending state specified in paragraph 2 of Article 12 of the Consular Convention between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics of June 1, 1964, shall take place within one to three days from the time of arrest or detention depending on conditions of communication.

2. It is agreed between the Contracting Parties that the rights specified in paragraph 3 of Article 12 of the Consular Convention of a consular officer to visit and communicate with a national of the sending state who is under arrest or otherwise detained in custody shall be accorded within two to four days of the arrest or detention of such national depending upon his location.

3. It is agreed between the Contracting Parties that the rights specified in paragraph 3 of Article 12 of the Consular Convention of a consular officer to visit and communicate with a national of the sending state who is under arrest or otherwise detained in custody or is serving a sentence of imprisonment shall be accorded on a continuing basis.

The present Protocol constitutes an integral part of the Consular Convention between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics of June 1, 1964.[2]

Done at Moscow on June 1, 1964 in two copies, each in the English and the Russian language, both texts being equally authentic.

For the Government of the United States of America

FOY D. KOHLER

Ambassador of the United States of America to the USSR

For the Government of the Union of Soviet Socialist Republics

A. GROMYKO

Minister for Foreign Affairs of the Union of Soviet Socialist Republics

(1) U.S. *Treaties and other International Acts Series* No. 6503.
(2) The Convention and Protocol entered into force on 13th July, 1968.

TREATY of Friendship between the Soviet Union and Yemen. —Moscow, 21st March, 1964[1]

[Ratifications exchanged at San'a on 20th October, 1964.]

(Translation)

The Union of Soviet Socialist Republics and the Yemen Arab Republic,

Having regard to the revolution that has taken place in Yemen and the changes that have occurred throughout the world,

Desiring to reaffirm and strengthen the sincere and friendly relations between the two countries,

Reaffirming their loyalty to their obligations under the United Nations Charter and other international agreements consistent with the spirit and the letter of this Treaty,

Being firmly resolved to continue the struggle against colonialism in all its forms and manifestations so as to bring about the speediest possible implementation of the United Nations Declaration on the granting of full independence to all colonial countries and peoples[2],

Have decided to reaffirm and renew the Treaty of Friendship between the two countries of 31 October 1955[3], corresponding to 15 Rabia al-Awwal in the year 1375 of the Hegira, concluded on the basis of the Treaty of Friendship, known as the "Treaty of San'a" of 1928[4], corresponding to the year 1347 of the Hegira, and have agreed as follows:

ARTICLE 1

The Union of Soviet Socialist Republics reaffirms its recognition of the full and absolute independence of the Yemen Arab Republic and its sovereignty over Yemeni territory. The Soviet Union respects Yemen's policy of non-alignment.

The Yemen Arab Republic, on its side, highly appreciates the friendly attitude shown by the Union of Soviet Socialist Republics towards the Yemen Arab Republic and its people and towards the other peoples which are fighting for national independence and freedom.

(1) United Nations Treaty Series, Vol. 553, page 267.
(2) Vol. 164, page 800.
(3) Vol. 162, page 533.
(4) Vol. 129, page 949.

ARTICLE 2

There shall be perpetual peace and perfect concord between the two countries and any disagreement arising between them shall be settled by peaceful diplomacy.

ARTICLE 3

The High Contracting Parties undertake to facilitate trade between the two States in accordance with the recognized rules of international law. The treatment accorded by each State to the nationals of the other State shall be based on the principles of reciprocity and the nationals of each State who reside in the territory of the other State shall be subject to the laws and regulations of the State in which they reside.

ARTICLE 4

The High Contracting Parties shall continue to develop the economic and cultural ties between the Soviet Union and the Yemen Arab Republic which accord with the ties of friendship and fruitful co-operation between the two countries.

ARTICLE 5

This Treaty shall enter into force on the date of the exchange of the instruments of ratification, which shall take place at San'a as soon as possible, and shall continue in force for five years from the date of such exchange. Upon the expiration of this period the Treaty shall be automatically renewed for a similar period, unless either High Contracting Party has given notice six months before the expiration of the said period of its desire to amend or denounce the Treaty.

ARTICLE 6

This Treaty has been done in duplicate in the Russian and Arabic languages.

In case of differences of interpretation, the Arab text shall prevail.

Done at Moscow on 21 March 1964, corresponding to 7 Dhu 'l-Qa'da 1383.

Chairman of the Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics:
L. I. BRESHNEV

President of the Yemen Arab Republic:
ABDULLAH AS-SALLAL

RESOLUTION of the United Nations Security Council recommending the creation of a U.N. Peace-keeping Force for Cyprus.—Adopted New York, 4th March, 1964(1)

The Security Council,

Noting that the present situation with regard to Cyprus is likely to threaten international peace and security and may further deteriorate unless additional measures are promptly taken to maintain peace and to seek out a durable solution,

Considering the positions taken by the parties in relation to the treaties signed at Nicosia on 16th August 1960(2),

Having in mind the relevant provisions of the Charter of the United Nations(3) and, in particular, its Article 2, paragraph 4, which reads:

"All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations",

1. *Calls upon* all Member States, in conformity with their obligations under the Charter of the United Nations, to refrain from any action or threat of action likely to worsen the situation in the sovereign Republic of Cyprus, or to endanger international peace;

2. *Asks* the Government of Cyprus, which has the responsibility for the maintenance and restoration of law and order, to take all additional measures necessary to stop violence and bloodshed in Cyprus;

3. *Calls upon* the communities in Cyprus and their leaders to act with the utmost restraint;

4. *Recommends* the creation, with the consent of the Government of Cyprus, of a United Nations Peace-keeping Force in Cyprus. The composition and size of the Force shall be established by the Secretary-General, in consultation with the Governments of Cyprus, Greece, Turkey and the United Kingdom of Great Britain and Northern Ireland. The Commander of the Force shall be appointed by the Secretary-General and

(1) U.N. Security Council Resolution 186 (1964), Document S/5575.
(2) Vol. 164, pages 388 and 557, and United Nations Treaty Series Vol. 382, page 8.
(3) Vol. 145, page 805.

report to him. The Secretary-General, who shall keep the Governments providing the Force fully informed, shall report periodically to the Security Council on its operation ;

5. *Recommends* that the function of the Force should be, in the interest of preserving international peace and security, to use its best efforts to prevent a recurrence of fighting and, as necessary, to contribute to the maintenance and restoration of law and order and a return to normal conditions ;

6. *Recommends* that the stationing of the Force shall be for a period of three months, all costs pertaining to it being met, in a manner to be agreed upon by them, by the Governments providing the contingents and by the Government of Cyprus. The Secretary-General may also accept voluntary contributions for that purpose ;

7. *Recommends further* that the Secretary-General designate, in agreement with the Government of Cyprus and the Governments of Greece, Turkey and the United Kingdom, a mediator, who shall use his best endeavours with the representatives of the communities and also with the aforesaid four Governments, for the purpose of promoting a peaceful solution and an agreed settlement of the problem confronting Cyprus, in accordance with the Charter of the United Nations, having in mind the well-being of the people of Cyprus as a whole and the preservation of international peace and security. The mediator shall report periodically to the Secretary-General on his efforts ;

8. *Requests* the Secretary-General to provide, from funds of the United Nations, as appropriate, for the remuneration and expenses of the mediator and his staff.

RESOLUTION of the United Nations Security Council on the question of Cyprus.—Adopted New York, 13th March, 1964(1)

The Security Council,

Having heard the statements of the representatives of the Republic of Cyprus, Greece and Turkey,

Reaffirming its resolution 186 (1964) of 4th March 1964(2),

(1) U.N. Security Council Resolution 187 (1964) (S/5603).
(2) Page 711.

Being deeply concerned over developments in the area,

Noting the progress reported by the Secretary-General in regard to the establishment of a United Nations Peace-keeping Force in Cyprus,

Noting the assurance from the Secretary-General that the United Nations Peace-keeping Force in Cyprus envisaged in resolution 186 (1964) is about to be established and that advance elements of that Force are already *en route* to Cyprus,

1. *Reaffirms* its call upon all Member States, in conformity with their obligations under the Charter of the United Nations, to refrain from any action or threat of action likely to worsen the situation in the sovereign Republic of Cyprus, or to endanger international peace ;

2. *Requests* the Secretary-General to press on with his efforts to implement Security Council resolution 186 (1964), and requests Member States to co-operate with the Secretary-General to that end.

RESOLUTION of the United Nations Security Council concerning the victims of the policies of *apartheid* of the Republic of South Africa.—Adopted New York, 9th June, 1964(1)

The Security Council,

Recalling General Assembly resolution 1881 (XVIII) of 11 October 1963, which condemns the Government of the Republic of South Africa for its failure to comply with the repeated resolutions of the General Assembly and of the Security Council and which requests it to abandon the arbitrary trial in progress and forthwith to grant unconditional release to all political prisoners and to all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of *apartheid,*

Further recalling that the Security Council in its resolutions 181 (1963) of 7 August 1963 and 182 (1963) of 4 December 1963(2) called upon the Government of South Africa to liberate all persons imprisoned, interned or subjected to other restrictions for having opposed the policy of *apartheid,*

(1) U.N. Security Council Resolution 190 (1964), Document S/5761.
(2) Pages 377 and 390.

Noting with great concern that the arbitrary Rivonia trial instituted against the leaders of the anti-*apartheid* movement has been resumed, and that the imminent verdict to be delivered under arbitrary laws prescribing long terms of imprisonment and the death sentence may have very serious consequences,

Noting with regret that the Government of South Africa has rejected the appeal of the Secretary-General of 27 March 1964,

1. *Urges* the Government of South Africa ;

(*a*) To renounce the execution of the persons sentenced to death for acts resulting from their opposition to the policy of apartheid ;

(*b*) To end forthwith the trial in progress, instituted within the framework of the abitrary laws of apartheid ;

(*c*) To grant amnesty to all persons already imprisoned, interned or subjected to other restrictions for having opposed the policy of apartheid, and particularly to the defendants in the Rivonia trial ;

2. *Invites* all States to exert all their influence in order to induce the Government of South Africa to comply with the provisions of the present resolution ;

3. *Invites* the Secretary-General to follow closely the implementation of the present resolution and to report thereon to the Security Council at the earliest possible date.

RESOLUTION of the United Nations Security Council concerning the policies of *apartheid* of the Republic of South Africa.—Adopted New York, 18th June, 1964[1]

The Security Council,

Having considered the question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Republic of South Africa, brought to the attention of the Security Council by fifty-eight States Members of the United Nations in their letter of 27 April 1964 (S/5674),

(1) U.N. Security Council Resolution 191 (1964), Document S/5773. Adopted by eight votes to none, with three abstentions (Czechoslovakia, France, Soviet Union).

Being gravely concerned with the situation in South Africa arising out of the policies of apartheid, which are contrary to the principles and purposes of the Charter of the United Nations and inconsistent with the provisions of the Universal Declaration of Human Rights as well as South Africa's obligations under the Charter,

Taking note with appreciation of the reports of the Special Committee on the Policies of apartheid of the Government of the Republic of South Africa and the report (S/5658, annex) of the Group of Experts appointed by the Secretary-General pursuant to the Security Council resolution 182(2) of 4 December 1963,

Recalling the resolutions of the Security Council of 7 August 1963, 4 December 1963 and 9 June 1964(3),

Convinced that the situation in South Africa is continuing seriously to disturb international peace and security,

Deploring the refusal of the Government of the Republic of South Africa to comply with pertinent Security Council resolutions,

Taking into account the recommendations and conclusions of the Group of Experts,

1. *Condemns* the apartheid policies of the Government of the Republic of South Africa and the legislation supporting these policies, such as the General Law Amendment Act, and in particular its ninety-day detention clause.

2. *Urgently reiterates its appeal* to the Government of the Republic of South Africa to liberate all persons imprisoned, interned or subjected to other restrictions for having opposed the policies of apartheid ;

3. *Notes* the recommendations and the conclusions in the report of the Group of Experts ;

4. *Urgently appeals* to the Government of the Republic of South Africa :

(*a*) To renounce the execution of any persons sentenced to death for their opposition to the policy of apartheid ;

(2) Page 390.
(3) Pages 377, 390 and 713.

(*b*) To grant immediate amnesty to all persons detained or on trial, as well as clemency to all persons sentenced for their opposition to the Government's racial policies ;

(*c*) To abolish the practice of imprisonment without charges, without access to counsel or without the right of prompt trial ;

5. *Endorses and subscribes in particular to* the main conclusion of the Group of Experts that " all the people of South Africa should be brought into consultation and should thus be enabled to decide the future of their country at the national level " ;

6. *Requests* the Secretary-General to consider what assistance the United Nations may offer to facilitate such consultations among representatives of all elements of the population in South Africa ;

7. *Invites* the Government of the Republic of South Africa to accept the main conclusion of the Group of Experts referred to in paragraph 5 above, to co-operate with the Secretary-General and to submit its views to him with respect to such consultations by 30 November 1964 ;

8. *Decides* to establish an expert committee, composed of representatives of each present member of the Security Council, to undertake a technical and practical study and report to the Council as to the feasibility, effectiveness and implications of measures which could, as appropriate, be taken by the Council under the Charter of the United Nations ;

9. *Requests* the Secretary-General to provide to the expert committee the Secretariat's material on the subjects to be studied by the committee, and to co-operate with the committee as requested by it ;

10. *Authorizes* the expert committee to request all States Members of the United Nations to co-operate with it and to submit to it their views on such measures no later than 30 November 1964, and requests the committee to complete its report not later than three months thereafter ;

11. *Invites* the Secretary-General, in consultation with appropriate United Nations specialized agencies, to establish an educational and training programme for the purpose of arranging for education and training abroad for South Africans :

12. *Reaffirms* its call upon all States to cease forthwith the sale and shipment to South Africa of arms, ammunition of all types, military vehicles, and equipment and materials for the manufacture and maintenance of arms and ammunition in South Africa ;

13. *Requests* all Member States to take such steps as they deem appropriate to persuade the Government of the Republic of South Africa to comply with this resolution.

RESOLUTION of the United Nations Security Council calling for a cease-fire in Cyprus.—Adopted New York, 9th August, 1964(1)

The Security Council,

Concerned at the serious deterioration of the situation in Cyprus,

Reaffirming its resolutions 186 (1964) of 4 March 1964, 187 (1964) of 13 March 1964(2) and 192 (1964) of 20 June 1964,

Anticipating the submission of the Secretary-General's report on the situation,

1. *Reaffirms* the appeal just addressed by the President of the Security Council to the Governments of Turkey and Cyprus, worded as follows:

" The Security Council has authorized me to make an urgent appeal to the Government of Turkey to cease instantly the bombardment of and the use of military force of any kind against Cyprus, and to the Government of Cyprus to order the armed forces under its control to cease firing immediately " ;

2. *Calls for* an immediate cease-fire by all concerned ;

3. *Calls upon* all concerned to co-operate fully with the Commander of the United Nations Peace-keeping Force in Cyprus in the restoration of peace and security ;

4. *Calls upon* all States to refrain from any action that might exacerbate the situation or contribute to the broadening of hostilities.

(1) U.N. Security Council Resolution 193 (1964), Document S/5868.
(2) Pages 711 and 712.

RESOLUTION of the United Nations Security Council on the question of Cyprus.—Adopted New York, 18th December, 1964(1)

The Security Council,

Noting that the report of the Secretary-General (S/6102) recommends the maintenance in Cyprus of the United Nations Peace-keeping Force created by the Security Council resolution of 4 March 1964 (S/5575)(2) for an additional period of three months,

Noting that the Government of Cyprus has indicated its desire that the stationing of the United Nations Force in Cyprus should be continued beyond 26 December 1964,

Noting with satisfaction that the report of the Secretary-General indicates that the situation in Cyprus has improved and that significant progress has been made,

Renewing the expression of its deep appreciation to the Secretary-General for his efforts in the implementation of the Security Council resolutions of 4 March, 13 March(3), 20 June (S/5778) and 25 September 1964 (S/5987),

Renewing the expression of its deep appreciation to the States that have contributed troops, police, supplies and financial support for the implementation of the resolution of 4 March 1964,

1. *Reaffirms* its resolutions of 4 March, 13 March, 20 June, 9 August(4) and 25 September 1964, and the consensus expressed by the President at its 1143rd meeting, on 11 August 1964 ;

2. *Calls upon* all States Members of the United Nations to comply with the above-mentioned resolutions ;

3. *Takes note* of the report of the Secretary-General (S/1602) ;

4. *Extends* the stationing in Cyprus of the United Nations Peace-keeping Force established under the Security Council resolution of 4 March 1964 for an additional period of three months, ending 26 March 1965.

(1) U.N. Security Council Resolution 198 (1964), Document S/6121.
(2) Page 711.
(3) Page 712.
(4) Page 717.

RESOLUTION of the United Nations Security Council concerning the situation in the Congo (Leopoldville).—Adopted New York, 30th December, 1964(1)

The Security Council,

Noting with concern the aggravation of the situation in the Democratic Republic of the Congo,

Deploring the recent events in that country,

Convinced that the solution of the Congolese problem depends on national reconciliation and the restoration of public order,

Recalling the pertinent resolutions of the General Assembly and the Security Council,

Reaffirming the sovereignty and territorial integrity of the Democratic Republic of the Congo,

Taking into consideration the resolution of the Organization of African Unity dated 10 September 1964(2), in particular paragraph 1 relating to the mercenaries,

Convinced that the Organization of African Unity should be able, in the context of Article 52 of the Charter of the United Nations(3), to help find a peaceful solution to all the problems and disputes affecting peace and security in the continent of Africa,

Having in mind the efforts of the Organization of African Unity to help the Government of the Democratic Republic of the Congo and the other political factions in the Congo to find a peaceful solution to their dispute,

1. *Requests* all States to refrain or desist from intervening in the domestic affairs of the Congo ;

2. *Appeals* for a cease-fire in the Congo in accordance with the resolution of the Organization of African Unity dated 10 September 1964 ;

3. *Considers,* in accordance with that same resolution, that the mercenaries should as a matter of urgency be withdrawn from the Congo ;

(1) U.N. Security Council Resolution 199 (1964), Document S/6129.
(2) Page 651.
(3) Vol. 145, page 805.

4. *Encourages* the Organization of African Unity to pursue its efforts to help the Government of the Democratic Republic of the Congo to achieve national reconciliation in accordance with the above-mentioned resolution of the Organization of African Unity ;

5. *Requests* all States to assist the Organization of African Unity in the attainment of this objective ;

6. *Requests* the Organization of African Unity, in accordance with Article 54 of the Charter of the United Nations, to keep the Security Council fully informed of any action it may take under the present resolution ;

7. *Requests* the Secretary-General of the United Nations to follow the situation in the Congo and to report to the Security Council at the appropriate time.

RESOLUTION [1955 (XIX)] establishing the United Nations Conference on Trade and Development as an Organ of the General Assembly.—New York, 30th December, 1964(1)

The General Assembly,

Convinced that sustained efforts are necessary to raise the standards of living in all countries and to accelerate the economic growth of the developing countries,

Considering that international trade is an important instrument for economic development,

Recognising that the United Nations Conference on Trade and Development(2) has provided a unique opportunity to make a comprehensive review of the problems of trade and of trade in relation to economic development, particularly those problems affecting the developing countries,

Convinced that adequate and effectively functioning organisational arrangements are essential if the full contribution of international trade to the accelerated economic growth of the developing countries is to be successfully realised through the formulation and implementation of the necessary policies,

(1) *United Nations* No. 2 (1965) (Cmnd. 2743, page 18).
(2) Cmnd. 2417. The Final Act of the Conference held in Geneva was adopted on 16th June, 1964.

Taking into account that the operation of existing international institutions was examined by the United Nations Conference on Trade and Development, which recognised both their contributions and their limitations in dealing with all the problems of trade and related problems of development,

Believing that all States participating in the United Nations Conference on Trade and Development should make the most effective use of institutions and arrangements to which they are or may become parties,

Convinced that, at the same time, there should be a further review of both the present and the proposed institutional arrangements, in the light of the experience of their work and activities,

Taking note of the widespread desire among developing countries for a comprehensive trade organisation,

Recognising that further institutional arrangements are necessary in order to continue the work initiated by the Conference and to implement its recommendations and conclusions,

I

Establishes the United Nations Conference on Trade and Development as an organ of the General Assembly in accordance with the provisions set forth in section II below ;

II

1. The members of the United Nations Conference on Trade and Development (hereinafter referred to as the Conference) shall be those States which are Members of the United Nations or members of the specialised agencies or of the International Atomic Energy Agency.

2. The Conference shall be convened at intervals of not more than three years. The General Assembly shall determine the date and location of the sessions of the Conference, taking into account the recommendations of the Conference or of the Trade and Development Board, established under paragraph 4 below.

3. The principal functions of the Conference shall be:

(*a*) To promote international trade, especially with a view to accelerating economic development, particularly trade

between countries at different stages of development, between developing countries and between countries with different systems of economic and social organisation, taking into account the functions performed by existing international organisations ;

(*b*) To formulate principles and policies on international trade and related problems of economic development ;

(*c*) To make proposals for putting the said principles and policies into effect and to take such other steps within its competence as may be relevant to this end, having regard to differences in economic systems and stages of development ;

(*d*) Generally, to review and facilitate the co-ordination of activities of other institutions within the United Nations system in the field of international trade and related problems of economic development, and in this regard to co-operate with the General Assembly and the Economic and Social Council with respect to the performance of their responsibilities for co-ordination under the Charter of the United Nations(3) ;

(*e*) To initiate action, where appropriate, in co-operation with the competent organs of the United Nations for the negotiation and adoption of multilateral legal instruments in the field of trade, with due regard to the adequacy of existing organs of negotiation and without duplication of their activities ;

(*f*) To be available as a centre for harmonising the trade and related development policies of Governments and regional economic groupings in pursuance of Article 1 of the Charter ;

(*g*) To deal with any other matters within the scope of its competence.

TRADE AND DEVELOPMENT BOARD

Composition

4. A permanent organ of the Conference, the Trade and Development Board (hereinafter referred to as the Board), shall be established as part of the United Nations machinery in the economic field.

5. The Board shall consist of fifty-five members elected by the Conference from among its membership. In electing the members of the Board, the Conference shall have full regard for both equitable geographical distribution and the desirability

(3) Vol. 145, page 805.

of continuing representation for the principal trading States, and shall accordingly observe the following distribution of seats:

(*a*) Twenty-two from the States listed in Part A of the annex to the present resolution;

(*b*) Eighteen from the States listed in part B of the annex;

(*c*) Nine from the States listed in part C of the annex;

(*d*) Six from the States listed in part D of the annex.

6. The lists of States contained in the annex shall be reviewed periodically by the Conference in the light of changes in membership of the Conference and other factors.

7. The members of the Board shall be elected at each regular session of the Conference. They shall hold office until the election of their successors.

8. Retiring members shall be eligible for re-election.

9. Each member of the Board shall have one representative with such alternates and advisers as may be required.

10. The Board shall invite any member of the Conference to participate, without vote, in its deliberations on any matter of particular concern to that member.

11. The Board may make arrangements for representatives of the inter-governmental bodies referred to in paragraphs 18 and 19 below to participate, without vote, in its deliberations and in those of the subsidiary bodies and working groups established by it. Such participation may also be offered to non-governmental organisations concerned with matters of trade and of trade as related to development.

12. The Board shall adopt its own rules of procedure.

13. The Board shall meet as required in accordance with its rules. It shall normally meet twice in any particular year.

Functions

14. When the Conference is not in session, the Board shall carry out the functions that fall within the competence of the Conference.

15. In particular, the Board shall keep under review and take appropriate action within its competence for the implementation of the recommendations, declarations, resolutions

and other decisions of the Conference and to ensure the continuity of its work.

16. The Board may make or initiate studies and reports in the field of trade and related problems of development.

17. The Board may request the Secretary-General of the United Nations to prepare such reports, studies or other documents as it may deem appropriate.

18. The Board shall, as required, make arrangements to obtain reports from and establish links with inter-governmental bodies whose activities are relevant to its functions. In order to avoid duplication it shall avail itself, whenever possible, of the relevant reports made to the Economic and Social Council and other United Nations bodies.

19. The Board shall establish close and continuous links with the regional economic commissions of the United Nations and it may establish such links with other relevant regional inter-governmental bodies.

20. In its relations with organs and agencies within the United Nations system, the Board shall act in conformity with the responsibilities of the Economic and Social Council under the Charter, particularly those of co-ordination, and with the relationship agreements with the agencies concerned.

21. The Board shall serve as a preparatory committee for future sessions of the Conference. To that end, it shall initiate the preparation of documents, including a provisional agenda, for consideration by the Conference, as well as make recommendations as to the appropriate date and place for its convening.

22. The Board shall report to the Conference and it shall also report annually on its activities to the General Assembly through the Economic and Social Council. The Council may transmit to the Assembly such comments on the reports as it may deem necessary.

23. The Board shall establish such subsidiary organs as may be necessary to the effective discharge of its functions. It shall establish, in particular, the following committees:

(*a*) A committee on commodities which, *inter alia*, will carry out the functions which are now performed by the Commission

on International Commodity Trade and the Interim Co-ordinating Committee for International Commodity Arrangements. In this connexion, the Interim Co-ordinating Committee shall be maintained as an advisory body of the Board ;

(*b*) A committee on manufactures ;

(*c*) A committee on invisibles and financing related to trade.

The Board shall give special consideration to the appropriate institutional means for dealing with problems of shipping, and shall take into account the recommendations contained in annexes A.IV.21 and A.IV.22(4) of the Final Act of the Conference.

The terms of reference of the latter two subsidiary bodies and any other subsidiary organs established by the Board shall be adopted after consultation with the appropriate organs of the United Nations and shall take fully into account the desirability of avoiding duplication and overlapping of responsibilities. In determining the size of the subsidiary organs and in electing their members, the Board shall take fully into account the desirability of including in the membership of these bodies member states with a special interest in the subject-matter to be dealt with by them. It may include any State member of the Conference, whether or not that State is represented on the Board. The Board will determine the terms of reference and rules of procedure of its subsidiary organs.

VOTING

24. Each State represented at the Conference shall have one vote. Decisions of the Conference on matters of substance shall be taken by a two-thirds majority of the representatives present and voting. Decisions of the Conference on matters of procedure shall be taken by a majority of the representatives present and voting. Decisions of the Board shall be taken by a simple majority of the representatives present and voting.

PROCEDURES

25. The procedures set forth in the present paragraph are designed to provide a process of conciliation to take place

(4) Cmnd. 2417, pages 120 and 121.

before voting and to provide an adequate basis for the adoption of recommendations with regard to proposals of a specific nature for action substantially affecting the economic or financial interests of particular countries.

(*a*) *Levels of conciliation*

The process of conciliation within the meaning of the present paragraph may take place under the conditions stated with regard to proposals which are before the Conference, the Board or Committees of the Board. In the case of Committees of the Board, the process of conciliation shall apply only to those matters, if any, with respect to which a Committee has been authorised to submit, without further approval, recommendations for action.

(*b*) *Request for conciliation*

A request for conciliation within the meaning of the present paragraph may be made:

(i) In the case of proposals before the Conference, by at least ten members of the Conference ;

(ii) In the case of proposals before the Board, by at least five members of the Conference, whether or not they are members of the Board ;

(iii) In the case of proposals before Committees of the Board, by three members of the Committee.

The request for conciliation under the present paragraph shall be submitted, as appropriate, to the President of the Conference or to the Chairman of the Board. In the case of a request relating to a proposal before a Committee of the Board, the Chairman of the Committee concerned shall submit the request to the Chairman of the Board.

(*c*) *Initiation of conciliation by the President or Chairman*

The process of conciliation within the meaning of the present paragraph may also be initiated whenever the President of the Conference, the Chairman of the Board or the Chairman of the Committee concerned is satisfied that the required number of countries as specified in sub-paragraph (*b*) above are in favour of such conciliation. In cases where the process of conciliation is initiated at the level of a Committee, the Chairman of the

Committee concerned shall refer the matter to the Chairman of the Board for action to be taken in accordance with sub-paragraph (*f*) below.

(*d*) *Time for request or initiation of conciliation*

The request for conciliation (or the initiation of conciliation by the President or the Chairman, as the case may be) may be made only after the debate on the proposal has been concluded within the organ concerned and prior to the vote on that proposal. For the purposes of this provision, the Chairman of the organ concerned shall, at the conclusion of the debate on any proposal, afford an appropriate interval for the submission of requests for conciliation before proceeding to the vote on the proposal in question. In the event that conciliation is requested or initiated, voting on the proposal in question shall be suspended and the procedures provided for below shall be followed.

(*e*) *Subjects in regard to which conciliation is appropriate or excluded*

The institution of the process of conciliation shall be automatic under the conditions stated in sub-paragraphs (*b*) and (*c*) above. The categories in (i) and (ii) below shall serve as guidelines:

(i) Appropriate for conciliation shall be proposals of a specific nature for action substantially affecting the economic or financial interests of particular countries in the following fields:

Economic plans or programmes or economic or social readjustments;

Trade, monetary or tariff policies, or balance of payments;

Policies of economic assistance or transfer of resources;

Levels of employment, income, revenue or investment;

Rights or obligations under international agreements or treaties.

(ii) Proposals in the following fields shall not require conciliation:

Any procedural matter;

Any proposal for study or investigation, including such proposals related to the preparation of legal instruments in the field of trade;

Establishment of subsidiary bodies of the Board within the scope of its competence ;

Recommendations and declarations of a general character not calling for any specific action ;

Proposals involving action proposed in pursuance of recommendations which were unanimously adopted by the Conference.

(*f*) *Nomination of a conciliation committee*

When a request for conciliation is made or initiated, the presiding officer of the organ concerned shall immediately inform the organ. The President of the Conference or the Chairman of the Board shall, as soon as possible, after consultation with the members of the organs concerned, nominate the members of a conciliation committee and submit the nominations for the approval of the Conference or the Board, as appropriate.

(*g*) *Size and composition of the conciliation committee*

The conciliation committee shall, as a rule, be small in size. Its members shall include countries especially interested in the matter with respect to which such conciliation was initiated and shall be selected on an equitable geographical basis.

(*h*) *Procedure within the conciliation committee and submission of its report*

The conciliation committee shall begin its work as soon as possible and it shall endeavour to reach agreement during the same session of the Conference or the Board. No vote shall take place in the conciliation committee. In the event that the conciliation committee is unable to conclude its work or fails to reach agreement at the same session of the Conference or the Board, it shall report to the next session of the Board or to the next session of the Conference, whichever meets earlier. However, the Conference may instruct the conciliation committee appointed by it to submit its report to the following session of the Conference in the event that the committee shall not have concluded its work or shall have failed to reach agreement during the same session of the Conference.

(*i*) *Extension of the mandate of the conciliation committee*

A proposal to continue a conciliation committee beyond the session at which it is required to report shall be decided by a simple majority.

(*j*) *Report of the conciliation committee*

The report of the conciliation committee shall indicate whether or not the committee was able to reach an agreement and whether or not the committee recommends a further period of conciliation. The report of the committee shall be made available to the members of the Conference.

(*k*) *Action on the report of the conciliation committee*

The report of the conciliation committee shall have priority on the agenda of the organ to which it is submitted. If the organ adopts a resolution on the proposal which was the subject of the report of the conciliation committee, that resolution shall refer explicitly to the report of the conciliation committee and to the conclusion reached by the conciliation committee in the following form, as appropriate:

"*Noting* the report of the Conciliation Committee appointed on (date) (document number),

Noting also that the Conciliation Committee [was able to reach an agreement] [recommends a further period of conciliation] [was unable to reach agreement],".

(*l*) *Reports of the Board and the Conference*

The reports of the Board to the Conference and to the General Assembly and the reports of the Conference to the Assembly shall include, *inter alia*:

(i) The texts of all recommendations, resolutions and declarations adopted by the Board or the Conference during the period covered by the report;

(ii) In respect of recommendations and resolutions which are adopted after a process of conciliation, there shall also be included a record of the voting on each recommendation or resolution, together with the texts of the reports of the conciliation committees concerned. In the report, the record of voting and the texts of the reports shall normally follow the resolutions to which they pertain.

(*m*) *Good offices of the Secretary-General of the Conference*

The good offices of the Secretary-General of the Conference shall be utilised as fully as practicable in connexion with the process of conciliation.

(n) Proposals involving changes in the fundamental provisions of the present resolution

A process of conciliation shall also be applied under the terms and conditions laid down above in regard to any proposal for a recommendation to the General Assembly which would involve changes in the fundamental provisions of the present resolution. Any question as to whether a particular provision shall be considered fundamental for the purposes of the present sub-paragraph shall be determined by a simple majority of the Conference or the Board.

SECRETARIAT

26. Arrangements shall be made, in accordance with Article 101 of the Charter, for the immediate establishment of an adequate, permanent and full-time secretariat within the United Nations Secretariat for the proper servicing of the Conference, the Board and its subsidiary bodies.

27. The secretariat shall be headed by the Secretary-General of the Conference, who shall be appointed by the Secretary-General of the United Nations and confirmed by the General Assembly.

28. Adequate arrangements shall be made by the Secretary-General of the United Nations for close co-operation and co-ordination between the secretariat of the Conference and the Department of Economic and Social Affairs, including the secretariats of the regional economic commissions and other appropriate units of the United Nations Secretariat as well as with the secretariats of the Specialised Agencies.

FINANCIAL ARRANGEMENTS

29. The expenses of the Conference, its subsidiary bodies and secretariat shall be borne by the regular budget of the United Nations, which shall include a separate budgetary provision for such expenses. In accordance with the practice followed by the United Nations in similar cases, arrangements shall be made for assessments on States not members of the United Nations which participate in the Conference.

FUTURE INSTITUTIONAL ARRANGEMENTS

30. The Conference will review, in the light of experience, the effectiveness and further evolution of institutional arrangements with a view to recommending such changes and improvements as might be necessary.

31. To this end it will study all relevant subjects, including matters relating to the establishment of a comprehensive organisation based on the entire membership of the United Nations system of organisations to deal with trade and with trade in relation to development.

32. The General Assembly expresses its intention to seek advice from the Conference before making changes in the fundamental provisions of the present resolution.

ANNEXES

A. LIST OF STATES INDICATED IN PARAGRAPH 5(a)

Afghanistan
Algeria
Burma
Burundi
Cambodia
Cameroon
Central African Republic
Ceylon
Chad
China
Congo (Brazzaville)
Congo (Democratic Republic of)
Dahomey
Ethiopia
Gabon
Ghana
Guinea
India
Indonesia
Iran
Iraq
Israel
Ivory Coast
Jordan
Kenya
Kuwait
Laos
Lebanon
Liberia
Libya
Madagascar
Malaysia
Mali
Mauritania
Mongolia
Morocco
Nepal
Niger
Nigeria
Pakistan
Phillippines
Republic of Korea
Republic of Viet-Nam
Rwanda
Saudi Arabia
Senegal
Sierra Leone
Somalia
South Africa
Sudan
Syria
Thailand
Togo
Tunisia
Uganda
United Arab Republic
United Republic of Tanzania
Upper Volta
Western Samoa
Yemen
Yugoslavia

B. LIST OF STATES INDICATED IN PARAGRAPH 5(b)

Australia
Austria
Belgium
Canada
Cyprus
Denmark
Federal Republic of Germany
Finland
France
Greece
Holy See
Iceland
Ireland
Italy
Japan
Liechtenstein
Luxembourg
Monaco
Netherlands
New Zealand
Norway
Portugal
San Marino
Spain
Sweden
Switzerland
Turkey
United Kingdom of Great Britain and Northern Ireland
United States of America

C. LIST OF STATES INDICATED IN PARAGRAPH 5(c)

Argentina
Bolivia
Brazil
Chile
Colombia
Costa Rica
Cuba
Dominican Republic
Ecuador
El Salvador
Guatemala
Haiti
Honduras
Jamaica
Mexico
Nicaragua
Panama
Paraguay
Peru
Trinidad and Tobago
Uruguay
Venezuela

D. LIST OF STATES INDICATED IN PARAGRAPH 5(d)

Albania
Bulgaria
Byelorussian Soviet Socialist Republic
Czechoslovakia
Hungary
Poland
Rumania
Ukrainian Soviet Socialist Republic
Union of Soviet Socialist Republics

MEMBERSHIP OF THE TRADE AND DEVELOPMENT BOARD 1965-1966

Afghanistan
Argentina
Australia
Austria
Belgium
Bolivia
Brazil
Bulgaria
Cameroon
Canada
Ceylon
Chile
Congo (Leopoldville)
Czechoslovakia
Dahomey
Denmark
Ecuador
El Salvador
Ethiopia
Federal Republic of Germany
France
Ghana
Guinea
Honduras
Hungary
India
Indonesia
Iran
Iraq
Italy
Japan
Lebanon
Madagascar
Mali
Mexico
Morocco
Netherlands
New Zealand
Nigeria
Norway
Pakistan
Philippines
Poland
Rumania
Spain
Sweden
Switzerland
Turkey
Union of Soviet Socialist Republics
United Arab Republic
United Kingdom of Great Britain and Northern Ireland
United Republic of Tanzania
United States of America
Uruguay
Yugoslavia

MESSAGE from President Johnson to the United States Congress on Action to be taken following Incidents in the Gulf of Tonkin.—Washington, 5th August, 1964[1]

To the Congress of the United States:

Last night I announced to the American people that the North Vietnamese regime had conducted further deliberate attacks against U.S. naval vessels operating in international waters, and that I had therefore directed air action against gunboats and supporting facilities used in these hostile operations. This air action has now been carried out with substantial damage to the boats and facilities. Two U.S. aircraft were lost in the action.

(1) U.S. Department of State *Bulletin*, 24th August, 1964, pages 261–263.

After consultation with the leaders of both parties in the Congress, I further announced a decision to ask the Congress for a resolution expressing the unity and determination of the United States in supporting freedom and in protecting peace in southeast Asia(2).

These latest actions of the North Vietnamese regime have given a new and grave turn to the already serious situation in southeast Asia. Our commitments in that area are well known to the Congress. They were first made in 1954 by President Eisenhower. They were further defined in the Southeast Asia Collective Defense Treaty(3) approved by the Senate in February 1955.

This treaty with its accompanying protocol obligates the United States and other members to act in accordance with their constitutional processes to meet Communist aggression against any of the parties or protocol states.

Our policy in southeast Asia has been consistent and unchanged since 1954. I summarized it on June 2 in four simple propositions:

1. *America keeps her word.* Here as elsewhere, we must and shall honor our commitments.

2. *The issue is the future of southeast Asia as a whole.* A threat to any nation in that region is a threat to all, and a threat to us.

3. *Our purpose is peace.* We have no military, political, or territorial ambitions in the area.

4. *This is not just a jungle war, but a struggle for freedom on every front of human activity.* Our military and economic assistance to South Vietnam and Laos in particular has the purpose of helping these countries to repel aggression and strengthen their independence.

The threat to the free nations of southeast Asia has long been clear. The North Vietnamese regime has constantly sought to take over South Vietnam and Laos. This Communist regime has violated the Geneva accords for Vietnam. It has systematically conducted a campaign of subversion, which includes the direction, training, and supply of personnel

(2) Page 736.
(3) Vol. 161, page 365.

and arms for the conduct of guerrilla warfare in South Vietnamese territory. In Laos, the North Vietnamese regime has maintained military forces, used Laotian territory for infiltration into South Vietnam, and most recently carried out combat operations—all in direct violation of the Geneva agreements of 1962.

In recent months, the actions of the North Vietnamese regime have become steadily more threatening. In May, following new acts of Communist aggression in Laos, the United States undertook reconnaissance flights over Laotian territory, at the request of the Government of Laos. These flights had the essential mission of determining the situation in territory where Communist forces were preventing inspection by the International Control Commission. When the Communists attacked these aircraft, I responded by furnishing escort fighters with instructions to fire when fired upon. Thus, these latest North Vietnamese attacks on our naval vessels are not the first direct attack on armed forces of the United States.

As President of the United States I have concluded that I should now ask the Congress, on its part, to join in affirming the national determination that all such attacks will be met, and that the United States will continue in its basic policy of assisting the free nations of the area to defend their freedom.

As I have repeatedly made clear, the United States intends no rashness, and seeks no wider war. We must make it clear to all that the United States is united in its determination to bring about the end of Communist subversion and aggression in the area. We seek the full and effective restoration of the international agreements signed in Geneva in 1954, with respect to South Vietnam, and again in Geneva in 1962, with respect to Laos.

I recommend a resolution expressing the support of the Congress for all necessary action to protect our Armed Forces and to assist nations covered by the SEATO Treaty. At the same time, I assure the Congress that we shall continue readily to explore any avenues of political solution that will effectively guarantee the removal of Communist subversion and the preservation of the independence of the nations of the area.

The resolution could well be based upon similar resolutions enacted by the Congress in the past—to meet the threat to

Formosa in 1955([4]) to meet the threat to the Middle East in 1957([5]) and to meet the threat in Cuba in 1962([6]). It could state in the simplest terms the resolve and support of the Congress for action to deal appropriately with attacks against our Armed Forces and to defend freedom and preserve peace in southeast Asia in accordance with the obligations of the United States under the Southeast Asia Treaty. I urge the Congress to enact such a resolution promptly and thus to give convincing evidence to the aggressive Communist nations, and to the world as a whole, that our policy in southeast Asia will be carried forward—and that the peace and security of the area will be preserved.

The events of this week would in any event have made the passage of a congressional resolution essential. But there is an additional reason for doing so at a time when we are entering on 3 months of political campaigning. Hostile nations must understand that in such a period the United States will continue to protect its national interests, and that in these matters there is no division among us.

LYNDON B. JOHNSON

THE WHITE HOUSE, *August 5, 1964.*

(4) U.S. Department of State *Bulletin*, 7th February, 1955, page 213.
(5) Vol. 163, page 450.
(6) Vol. 166, page 1035.

JOINT RESOLUTION of the United States Congress to promote the maintenance of international peace and security in South-East Asia([1])

[Approved 10th August, 1964]

Whereas naval units of the Communist regime in Vietnam, in violation of the principles of the Charter of the United Nations and of international law, have deliberately and repeatedly attacked United States naval vessels lawfully present in international waters, and have thereby created a serious threat to international peace ; and

(1) 78 Stat. 384.

Whereas these attacks are part of a deliberate and systematic campaign of aggression that the Communist regime in North Vietnam has been waging against its neighbors and the nations joined with them in the collective defense of their freedom; and

Whereas the United States is assisting the peoples of South-East Asia to protect their freedom and has no territorial, military or political ambitions in that area, but desires only that these peoples should be left in peace to work out their own destinies in their own way: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression.

SEC. 2. The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in South-East Asia. Consonant with the Constitution of the United States and the Charter of the United Nations and in accordance with its obligations under the South-East Asia Collective Defense Treaty(2), the United States is, therefore, prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the South-East Asia Collective Defense Treaty requesting assistance in defense of its freedom.

SEC. 3. This resolution shall expire when the President shall determine that the peace and security of the area is reasonably assured by international conditions created by action of the United Nations or otherwise, except that it may be terminated earlier by concurrent resolution of the Congress.

(2) Vol. 161, page 365.

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